



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

July 1, 2010

Honorable Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration, Room 383
500 West Temple Street
Los Angeles, CA 90012

**PROJECT NO. R2008-02217-(1)
CONDITIONAL USE PERMIT NO. 200800181
LOCAL PLAN AMENDMENT NO. 200800011
ZONE CHANGE NO. 200800009
ENVIRONMENTAL ASSESSMENT NO. 200900025
PETITIONER: BP WEST COAST PRODUCTS
EASTSIDE UNIT NO. 1 ZONED DISTRICT
FIRST SUPERVISORIAL DISTRICT (3-VOTE)**

Dear Supervisors:

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Adopt the Negative Declaration associated with Environmental Assessment No. 200900025.
2. Instruct County Counsel to prepare the necessary resolution amending the East Los Angeles Community Plan (Local Plan Amendment No. 200800011), as recommended by the Regional Planning Commission.
3. Instruct County Counsel to prepare the necessary ordinance to change zones within the Eastside Unit No. 1 Zoned District, as recommended by the Regional Planning Commission (Zone Change No. 200800009).
4. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Conditional Use Permit No. 200800181.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

1. Update the East Los Angeles Community Plan Land Use Policy Map to reflect current conditions for the area.
2. Establish development standards that ensure future development on the subject property will be compatible with the goals and policies of the East Los Angeles Community Plan.
3. The proposed project would be consistent with the following goals and policies of the East Los Angeles Community Plan:

- a. To encourage high standards of development and improve the aesthetic qualities of the community;
- b. Encourage the renovation of buildings to meet present seismic safety standards;
- c. Promote coordination and development of existing businesses and encourage upgrading to improve their economic status;
- d. Maintain consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards.

FISCAL IMPACT/FINANCING

Implementation of the proposed plan amendment, zone change, and conditional use permits should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Regional Planning Commission conducted concurrent public hearings on Local Plan Amendment No. 200800011, Zone Change No. 200800009, and Conditional Use Permit No. 200800181 on May 5, 2010 and June 16, 2010 to authorize the demolition of an existing 1,625 square-foot convenience store and auto service center and its replacement with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the half-acre property at 3949 Dennison Street. The existing service station is located in the R-3 (Limited Multiple Residence) zone and within the Medium Density Residential land use category of the East Los Angeles Community Plan. In order to allow for this expansion of a nonconforming use, the applicant requests that the zoning be changed to C-1-DP (Restricted Business, Development Program) and that the land use classification be changed to Major Commercial. The applicant is also requesting a conditional use permit to authorize the sale of beer and wine for off-site consumption, to allow for the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD), and in order to comply with the requirements of the development program overlay zone. The Regional Planning Commission voted to recommend approval of the requested local plan amendment and zone change and to approve the conditional use permit at its June 16, 2010 meeting.

Pursuant to subsection B.2 of Section 22.60.230 of the County Code, the conditional use permit approved by the Regional Planning Commission is deemed to be called for review by your Board and shall be considered concurrently with the recommended local plan amendment and zone change. A public hearing is required pursuant to Sections 22.16.200 and 22.60.240 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355, and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study concluded that a Negative Declaration of Environmental Impact is the appropriate determination under CEQA reporting guidelines. The project design and/or

imposed conditions would mitigate the project's environmental impact to a level of no significance. Approval of the project proposal requires certification of the Negative Declaration.

IMPACT ON CURRENT SERVICES

Action on the proposed plan amendment, zone change, and conditional use permit is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING

Richard J. Bruckner

Director



Maria Masis, AICP

Section Head, Zoning Permits II

Attachments: Commission Resolutions, Commission Findings and Conditions, Commission Staff report and Attachments, Factual

C: CEO

County Counsel

Assessor

Director, Department of Public Works

MM:TM

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
LOCAL PLAN AMENDMENT NO. 200900011**

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65350) provides for the adoption of amendments to county general plans; and

WHEREAS, the applicant, BP West Coast Products, LLC, has requested an amendment to the East Los Angeles Community Plan; and

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted concurrent public hearings regarding Plan Amendment No. 200900011, Zone Change No. 200800009, and Conditional Use Permit No. 200800181 on May 5, 2010 and on June 16, 2010; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of land use designation from MD (Medium Density Residential) to MC (Major Commercial) on 0.45 gross acres within the East Los Angeles Community Plan.
2. The subject property consists of approximately 0.45 gross acres, located at 3949 Dennison Street in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
3. The Plan Amendment request was heard concurrently with Conditional Use Permit No. 200800181 and Zone Change No. 200800009 at the May 5, 2010 public hearing.
4. Conditional Use Permit No. 200800181 is a related request to authorize the construction, operation and maintenance of a new 2,120 square-foot convenience store with the sale of beer and wine for off-site consumption.
5. Zone Change No. 200800009 is a related request to authorize the change in the zoning of the subject property from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business – Development Program).
6. The 200800181 conditional use permit site plan, labeled Exhibit "A", depicts the 2,120 square-foot convenience store and service station, which includes two (2) gasoline pump canopies of 650 and 1,378 square feet, respectively. One contiguous parking area with a total of nine (9) parking spaces is shown. Access to the site is shown from Dennison Street to the south and from Ditman Avenue to the east. An entrance/exit ramp from the Santa Ana (5) Freeway connects to the southern end Dennison/Ditman intersection, which is located adjacent to the

subject property.

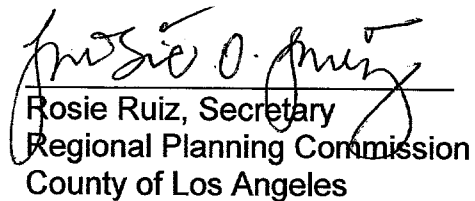
7. The subject property is currently zoned R-3 (Limited Multiple Residence). The subject property is developed with a service station.
8. Modified conditions warrant a revision in the land use designation of the subject property to foster implementation of planning goals and policies listed in the East Los Angeles Community Plan. One of the Plan's Physical Environment Goals is to encourage high standards of development and improve the aesthetic qualities of the community. Plan Policies include maintaining consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards, maintaining and enhancing the quality of healthy and stable residential neighborhoods, and encouraging the renovation of buildings to meet present seismic safety standards.
9. A need exists for the proposed change from Medium Density Residential to Major Commercial to achieve greater consistency between land use classification and actual land use patterns in the East Los Angeles community. The expansion and renovation of the pre-existing business requires that the land use classification be changed.
10. The subject property is a proper location for the proposed Major Commercial designation and placement of the proposed designation at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The subject property is located immediately adjacent to a similar use within the Major Commercial land use classification and is also adjacent to a freeway entrance and exit, where auto-oriented services are needed.
11. The proposed plan amendment is consistent with the goals and objectives of the East Los Angeles Community Plan.
12. An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study determined that a Negative Declaration would be required. The initial study showed that the design of the project would mitigate the environmental impact of the project to a level of no significance.
13. The Commission approves the Negative Declaration prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the Negative Declaration has been completed in compliance with CEQA, the CEQA

Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission.

THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of land use classification of the subject property within the East Los Angeles Community Plan from MD (Medium Density Residential) to MC (Major Commercial) with development restrictions as provided by the related Conditional Use Permit No. 200800181; and
2. That the Board of Supervisors certify completion of and approve the attached Negative Declaration; and
3. That the Board of Supervisors find that there is a need for the proposed Local Plan Amendment; and
4. That the Board of Supervisors find that the particular amendment proposed is appropriate and proper; and
5. That the Board of Supervisors find that modified conditions warrant a revision to the County of Los Angeles East Los Angeles Community Plan; and
6. That the Board of Supervisors find that approval of the proposed Local Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practice; and
7. That the Board of Supervisors adopt the above recommended Plan Amendment.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on June 16, 2010.


Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
ZONE CHANGE CASE NO. 200800009**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted public hearings in the matter of Zone Change Case No. 200800009 on May 5, 2010 and June 16, 2010; and,

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of zone from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business – Development Program) on 0.45 gross acres.
2. The subject property consists of approximately 0.45 gross acres, located at 3949 Dennison Street in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
3. The Zone Change request was heard concurrently with Conditional Use Permit No. 200800181 and Local Plan Amendment No. 200800011 at the May 5, 2010 public hearing.
4. Conditional Use Permit No. 200800181 is a related request to authorize the construction, operation and maintenance of a new 2,120 square-foot convenience store with the sale of beer and wine for off-site consumption.
5. Local Plan Amendment No. 200800011 is a related request to authorize the change in the land use designation from Medium Density Residential to Major Commercial within the East Los Angeles Community Plan.
6. The 200800181 conditional use permit site plan, labeled Exhibit "A", depicts the 2,120 square-foot convenience store and service station, which includes two (2) gasoline pump canopies of 650 and 1,378 square feet, respectively. One contiguous parking area with a total of nine (9) parking spaces is shown. Access to the site is shown from Dennison Street to the south and from Ditman Avenue to the east. An entrance/exit ramp from the Santa Ana (5) Freeway connects to the southern end Dennison/Ditman intersection, which is located adjacent to the subject property.
7. The subject property is currently zoned R-3 (Limited Multiple Residence). The subject property is developed with a service station.
8. Modified conditions warrant a revision in the zoning of the subject property to foster implementation of planning goals and policies listed in the East Los Angeles Community Plan. One of the Plan's Physical Environment Goals is to

encourage high standards of development and improve the aesthetic qualities of the community. Plan Policies include maintaining consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards, maintaining and enhancing the quality of healthy and stable residential neighborhoods, and encouraging the renovation of buildings to meet present seismic safety standards.

9. A need exists for the proposed Zone Change from R-3 to C-1-DP to achieve greater consistency between zoning and actual land use patterns in the East Los Angeles community. The expansion and renovation of the pre-existing business requires that the zoning be changed.
10. The subject property is a proper location for the proposed C-1-DP zoning classification and placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The subject property is located immediately adjacent to a similar use within the C-1-DP zone and is also adjacent to a freeway entrance and exit, where auto-oriented services are needed.
11. The proposed Zone Change from R-3 to C-1-DP is consistent with the goals and objectives of the East Los Angeles Community Plan.
12. An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study determined that a Negative Declaration would be required. The initial study showed that the design of the project would mitigate the environmental impact of the project to a level of no significance.
13. The Commission adopts the Negative Declaration prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the Negative Declaration has been completed in compliance with CEQA, the CEQA Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission.

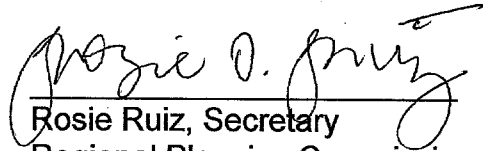
THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of zone from R-3 to C-1-DP with development restrictions

as provided by the related Conditional Use Permit No. 200800181; and

2. That the Board of Supervisors certify completion of and approve the attached Negative Declaration; and
3. That the Board of Supervisors find the recommended zoning is consistent with the Los Angeles County General Plan;
4. That the Board of Supervisors find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone; and
5. That the Board of Supervisors adopt the above recommended change of zone.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on June 16, 2010.


Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles

ZONING CASE NUMBER 200800009

ORDINANCE NUMBER _____

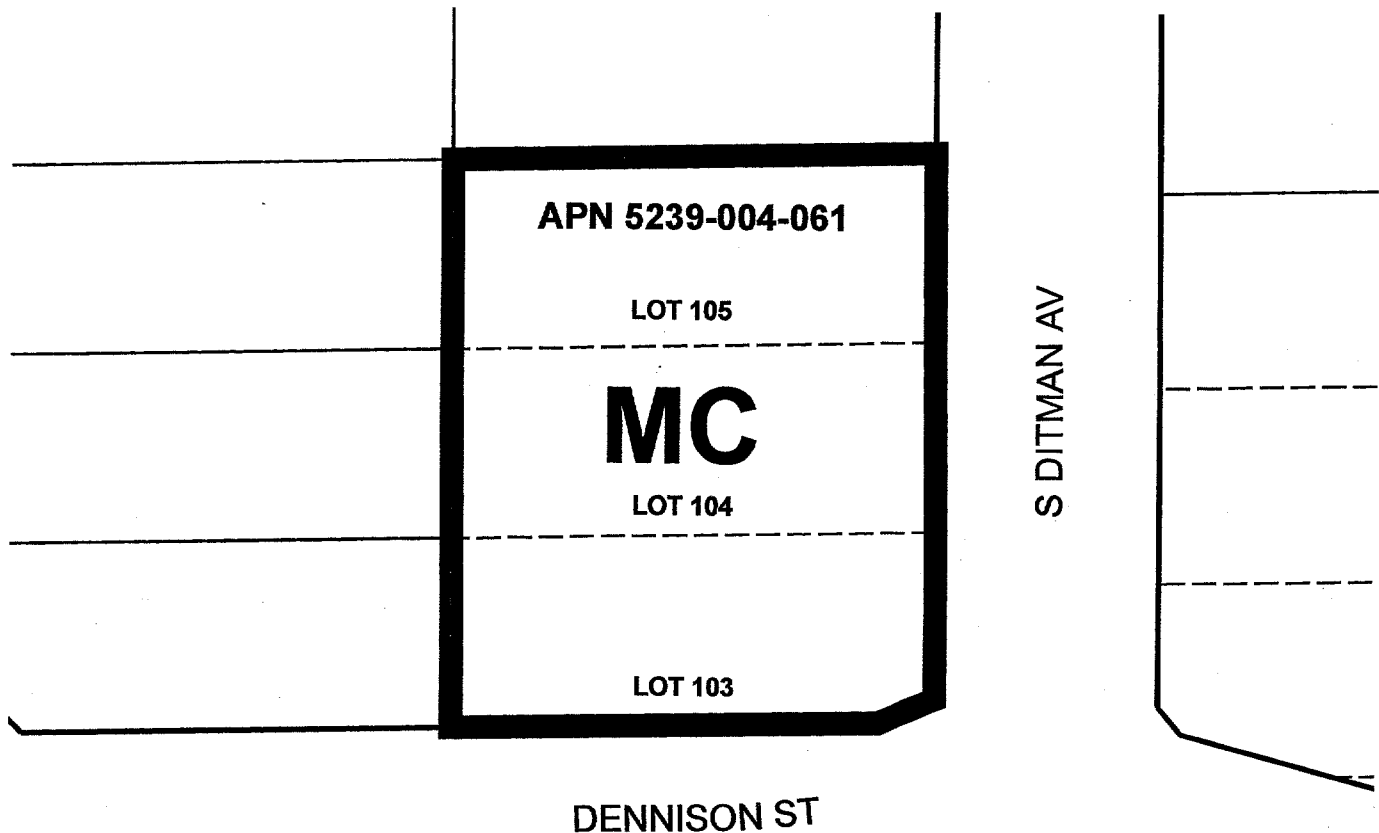
An ordinance amending Section 22.16.230 of Title 22 of the County Code, changing regulations for the execution of the East Los Angeles Community Plan, relating to the Eastside Unit No. 1 Zoned District Number 6.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.16.230 of the County Code is amended by amending the map of the Eastside Unit No. 1 Zoned District Number 6 as shown on the map attached hereto.

SECTION 2. The Board of Supervisors finds that this ordinance is consistent with the East Los Angeles Community Plan of the County of Los Angeles.

AMENDMENT TO COMMUNITY PLAN
EAST LOS ANGELES COMMUNITY
PLAN AMENDMENT: 2008-00011
ON: _____
CATEGORY MD TO CATEGORY MC
(PROPOSED: MAJOR COMMERCIAL)



LEGAL DESCRIPTION: ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOTS 103, 104, AND 105 OF THE VERONA TRACT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14, PAGE 80 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.







EXCEPT THAT PORTION OF SAID LOT 103, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE. CORNER OF SAID LOT; N'LY ALONG THE E. LINE OF SAID LOT, A DISTANCE OF 6.00'; S'LY IN A DIRECT LINE TO A POINT IN THE SOUTH LINE OF SAID LOT, DISTANT 12.00' W'LY FROM SAID SE. CORNER; E'LY ALONG SAID LINE TO THE POINT OF BEGINNING.

DIGITAL DESCRIPTION: \ZCO\ZD_EAST_SIDE_UNIT_1\

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
WAYNE REW, CHAIR
RICHARD J. BRUCKNER, PLANNING DIRECTOR

LEGEND:

-  PARCELS
-  STREET / RIGHT OF WAY
-  LOT LINE
-  CUT/DEED LINE
-  EASEMENT LINE
-  PLAN AMENDMENT AREA



0 25 50
FEET

COUNTY ZONING MAP
120H229

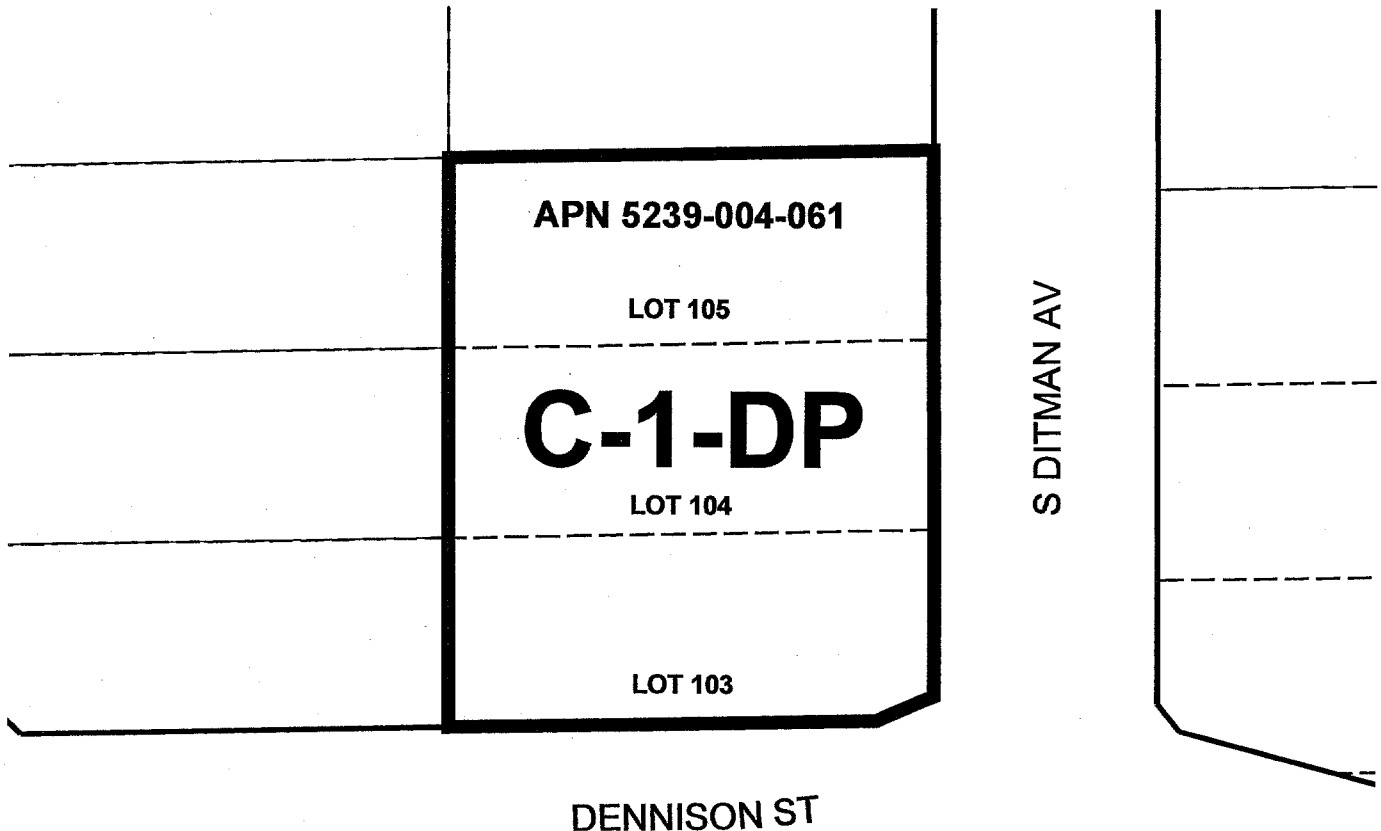
CHANGE OF PRECISE PLAN
EASTSIDE UNIT NO. 1 ZONED DISTRICT

ADOPTED BY ORDINANCE: _____

ON: _____

ZONING CASE: ZC2008-00009

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



LEGAL DESCRIPTION: ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOTS 103, 104, AND 105 OF THE VERONA TRACT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14, PAGE 80 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.







EXCEPT THAT PORTION OF SAID LOT 103, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE. CORNER OF SAID LOT; N'LY ALONG THE E. LINE OF SAID LOT, A DISTANCE OF 6.00'; S'LY IN A DIRECT LINE TO A POINT IN THE SOUTH LINE OF SAID LOT, DISTANT 12.00' W'LY FROM SAID SE. CORNER; E'LY ALONG SAID LINE TO THE POINT OF BEGINNING.

DIGITAL DESCRIPTION: \ZCOZD_EAST_SIDE_UNIT_1\

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
WAYNE REW, CHAIR
RICHARD J. BRUCKNER, PLANNING DIRECTOR

LEGEND:

-  PARCELS
-  STREET / RIGHT OF WAY
-  LOT LINE
-  CUT/DEED LINE
-  EASEMENT LINE
-  ZONE CHANGE AREA



0 25 50

FEET

COUNTY ZONING MAP
120H229



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

June 16, 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Fiedler Group
Attn: Erika Skeie
2322 W. Third St.
Los Angeles, CA 90057

Regarding: PROJECT NUMBER R2008-02217-(1)
LOCAL PLAN AMENDMENT NO. 200800011
ZONE CHANGE NO. 200800009
CONDITIONAL USE PERMIT NO. 200800181
3949 Dennison Street, East Los Angeles

Dear Applicant:

The Regional Planning Commission, by its action of June 16, 2010, is recommending APPROVAL of the above described legislative matters—the local plan amendment and zone change—to the Los Angeles County Board of Supervisors and approved the conditional use permit. The attached documents contain the Regional Planning Commission's findings and conditions relating to the this action.

Please be advised that all permits associated with the legislative matter(s) is/are automatically called up for review by the Board of Supervisors. Therefore, final action has not been taken on these matters and no appeal is available at this stage. The Executive Office of the Board of Supervisors will provide notice of a future public hearing on this matter. For further information on this scheduling, you may contact Sachi A. Hamai, Executive Officer, at (213) 974-1426, or write to: Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012.

For further information pertaining to these approvals and approval recommendation, please contact Tyler Montgomery in the Zoning Permits II Section at (213) 974-6435 or by e-mail at TMontgomery@planning.lacounty.gov.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Richard J. Bruckner
Director


Maria Masis, Supervising Regional Planner
Zoning Permits II Section

Enclosures: Findings and Conditions, Resolutions (2), Affidavit (Permittee's Completion)
c: Commission Services, BOS, Testifiers
MM:TM

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

**PROJECT NUMBER R2008-02217-(1)
CONDITIONAL USE PERMIT NUMBER 200800181**

**REGIONAL PLANNING COMMISSION HEARING DATES:
MAY 5, 2010 and JUNE 16, 2010**

SYNOPSIS:

Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD).

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

May 5, 2010 Public Hearing

A duly noticed public hearing was held before the Regional Planning Commission on May 5, 2010. Commissioners Rew, Valadez, Bellamy, and Helsley were present. The applicant's representative, Ms. Erika Skeie, was sworn in and testified in favor of the project. The Commission subsequently requested that the applicant explore redesigning the site layout so that it incorporated a five-foot-wide landscaped buffer along the entire length of its northern and western boundaries, as required by the East Los Angeles Community Standards District (CSD). The Commission also requested that the trash enclosure be relocated from the northern edge of the property, which borders single-family residences, to the western edge of the property. Finally, the Commission requested that the applicant consider rotating the convenience store 90 degrees and moving it from the western portion to the northern portion of the property in order to better facilitate the movement of the trash enclosure. A continuation of the hearing to June 16, 2010 was granted in order for the applicant to explore a redesign of the project site.

June 16, 2010 Public Hearing

A continued public hearing was held before the Regional Planning Commission on June 16, 2010. Commissioners Rew, Valadez, Bellamy, and Helsley were present. The applicant's representatives, Ms. Erika Skeie and Mr. Jose Sanchez, were sworn in and testified in favor of the project. An updated site plan and landscape plan was submitted depicting the trash enclosure at the western edge of the property and a five-foot-wide landscaped buffer running the length of its northern and western boundaries, although there was a 14-foot discontinuance wherein the trash enclosure had been located. The applicant stated that, due to circulation and space issues, it was not feasible to relocate the convenience store building to the northern portion of the property. The applicant's

representatives also agreed to modify the submitted landscape plan to comply with the County's Drought Tolerant Landscaping Ordinance and to depict all plantings as five gallons or greater. Subsequently, the Commission closed the public hearing, adopted the Negative Declaration, and approved the conditional use permit. They also recommended that the Board of Supervisors approve the applications for a Local Plan Amendment and Zone Change.

Findings

1. Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD).
2. The granting of this conditional use permit is contingent upon the approval of Local Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors.
3. The subject property is located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
4. The site is approximately one-half acre and developed with an existing ARCO service station. The property is level and paved, except for 540 square feet of landscaping. It is located at the northwest corner of Dennison Street and South Ditman Avenue in East Los Angeles, and an on/off ramp for the northbound Santa Ana Freeway (Interstate 5) connects to this intersection from the south. The subject property is accessed via four (4) driveways: two (2) from Ditman Avenue to the east and two (2) from Dennison Street to the south.
5. The subject property is proposed to be zoned C-1-DP (Restricted Business; Development Program).
6. Surrounding properties within the 500-foot radius of the project are zoned as follows:
 - North: R-3 (Limited Multiple Residence)
 - South: Santa Ana (5) Freeway
 - East: C-1-DP (Restricted Business; Development Program)
 - West: R-3 (Limited Multiple Residence)
7. Land uses within 500 feet of the subject property consist of the following:
 - North: Single-family and multiple-family residences
 - South: Santa Ana (5) Freeway
 - East: Service station and convenience store

West: Single-family and multiple-family residences

8. Zone Exception Case No. 9050 authorized the establishment of a service station at the subject property. The permit was approved in 1970, and the use amortized in 1991. Nonconforming Review No. 92-255 allowed the continued operation of the service station. The permit was approved in 1993 and expired in 2008.
9. The subject property is proposed to be designated as Major Commercial within the East Los Angeles Community Plan. The purpose of this land use classification is to provide for a variety of both large and small businesses. The establishment of a service station and convenience store is consistent with this designation.
10. The applicant proposes to demolish an existing 1,625 square-foot convenience store and auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the half-acre property. The new building would have a maximum height of 20 feet. The project would add 1,569 square feet of landscaping, for a total of 2,109 square feet, and nine (9) on-site parking spaces would be provided, one of which would be reserved for the handicapped. Two (2) gas pump canopies of 650 square feet and 1,378 square feet, respectively, with a total of six (6) gas pumps would remain, although they would be refurbished. The property is level and paved, with two driveways accessing Dennison Street to the south and two driveways accessing Ditman Avenue to the east. A new 25-foot-high monument sign is proposed for the southeastern corner of the property, and an existing 55-foot-high pole sign is proposed to remain. A trash enclosure would be located on the southwestern portion of the property.
11. Pursuant to Section 22.28.100 of the Los Angeles County Planning and Zoning Code (Title 22), premises in zone C-1 may be used for the sale of alcoholic beverages, for either on-site or off-site consumption, provided a conditional use permit has first been obtained and conforms to the conditions of said permit. A conditional use permit is also necessary for the establishment of a new use at the property, due to the -DP zoning overlay.
12. Less than 90 percent (2,120 sq. ft., or 11 percent) of the applicant's site plan is occupied by the proposed convenience store. This adheres to the development standards for the C-1 zone. Exactly 10 percent of the lot area (1,945 sq. ft.) is proposed to be landscaped, which also conforms to the C-1 development standards.
13. Per Section 22.52.1110 of the County Code, every structure used for amusement, assembly, drinking, eating or entertainment shall provide one or more automobile parking spaces for each three persons based on the occupant load as determined by the county engineer. All other uses other than business or professional offices shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used. The subject convenience store has a floor area of 2,120 square feet

and thus would require eight (8) parking spaces. Nine (9) parking spaces would be provided, one of which would be reserved for the handicapped.

14. The East Los Angeles CSD requires a five-foot-wide landscaped buffer along the northern and western property lines. This is not provided for approximately 14 feet along the western boundary, where the trash enclosure would be located. A five-foot buffer would not be practical for this area, as the additional space in front of the enclosure is required to maintain traffic circulation throughout the site.
15. Under the requirements of the East Los Angeles CSD, the 2,109 square feet of landscaping proposed for the project site would require the installation of 42 trees. Because adequate spaces for trees on the site are limited, a minimum of 10 trees will be planted within the proposed landscaping.
16. The requirements of the CSD would normally allow a total sign area of 114 square feet for the proposed project. The project would deviate from CSD standards by maintaining approximately 502.3 square feet of signage. The gasoline pricing monument sign is not included in this calculation, per Section 22.52.970(D) of the County Code.
17. The project would deviate from CSD height standards, as the existing pole sign would exceed the 40-foot height limit by 15 feet.
18. The Commission finds that the above requested deviations from the CSD are necessary, as it would be impractical to compel the removal of the pre-existing pole sign, for which the deviations are required.
19. Staff has determined that a Negative Declaration is the appropriate environmental document under California Environmental Quality Act (CEQA) reporting requirements. The project design and/or imposed conditions would mitigate the project's environmental impact to a level of no significance.
20. Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located within a high crime reporting district and is within a census tract with an over-concentration of alcohol sales.
21. The East Los Angeles Station of the Los Angeles County Sheriff's Department was consulted regarding the project. No comments were provided.
22. As per the requirements of the Los Angeles County Code, the public hearing was adequately noticed through mailings, newspapers advertisement, and on-site posting. Case-related materials were also posted at the local library and on the Regional Planning web page. No comments were received from the public regarding the project proposal.

17. There is one sensitive use within 600 feet of the project site—Ruben Salazar Park. The impact of the project would be mitigated by the fact that the applicant has agreed to purchase an existing liquor license within the East Los Angeles area. Therefore, no new licenses would be added.
18. The granting of this conditional use permit to sell beer and wine for off-site consumption at a new convenience store would serve as a public convenience, as there are no other markets selling beer and wine within the immediate area.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area; and
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare; and
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features; and
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required; and
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and
- F. The requested use at the proposed location result in an undue concentration of similar premises; however, the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, and the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction

within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

1. The Commission adopts the Negative Declaration associated with Environmental Assessment No. 200900025.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200800181 is **APPROVED** subject to the attached conditions.

VOTE: 4-0

Concurring: Rew, Valadez, Bellamy, Helsley

Dissenting: None

Abstaining: None

Absent: Modugno

Action Date: 06/16/10

c: Commission Services, BOS

MM:TM
06/16/10

1. This grant authorizes the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption within the C-1-DP (Restricted Business; Development Program) zone, and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD), as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose and cannot be used until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and until all required fees have been paid pursuant to Condition Nos. 10 and 11. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 4 [indemnification], 5 [litigation deposit], and 6 [expiration date] shall be effective immediately upon final approval of this grant by the County.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with to County Code Section 2.170.010.

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with payment of the applicable fee, before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. **This grant shall terminate on June 16, 2020.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the sale of beer and wine after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the expiration of this permit, whether or not any modification of the use is requested at that time. The expiration of this grant shall not apply to the continued use of the service station and/or convenience store without any beer or wine sales.
10. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees (**currently \$2,085.25**) payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code and to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code.
11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. **The permittee shall deposit with the County of Los Angeles the sum of \$1,000.00.** These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. These funds provide for **five (5) biennial** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance.

Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost, whichever is greater.

12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Public Health.
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. Within thirty (30) days of the approval of this grant, any illegal signage shall be removed from the subject property. Any new or additional signage shall be in compliance with Part 10, Title 22 of Los Angeles County Code.
16. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
17. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent plans are submitted, the written authorization of the property owner is necessary.
18. The grant shall not be valid without the subsequent approval of Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors. Both cases were heard by the Regional Planning Commission concurrently with this grant and were recommended for approval and adoption to the Board of Supervisors.
19. The maximum height of the pole sign on the southwestern corner of the property shall

be 55 feet, and the maximum area of all sign faces thereon shall be 375 square feet. The maximum height of all other structures shall be 40 feet.

20. The maximum sign area for the facility shall be 502.3 square feet. This does not include the gasoline pricing monument sign, the maximum sign area of which shall be 120 square feet.
21. A minimum of 2,109 square feet of landscaping shall be maintained on the project site. Within 30 days of final approval of this grant, the permittee shall submit a landscaping plan containing no fewer than 10 trees to the Director of Planning for review and approval. Landscaping shall comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list of the Department of Regional Planning. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. All plantings shall have a minimum volume of five (5) gallons. Throughout the term of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary.
22. All construction machinery shall be with suitable exhaust and air-intake silencers/mufflers, idling shall be minimized, and machinery shall be turned off when not in use and placed as far as possible from nearby residences. Construction activity shall be prohibited between 7 p.m. and 7 a.m., and all day on Sundays and legal holidays. Noise from compressors, air conditioners, and/or refrigeration units shall be limited to 55 dBA at the adjacent residential property lines. Such equipment shall also be shielded by an acoustical barrier or structure to cover the line of sight from adjacent residential units.
23. Before a building or grading permit is issued, the project will be required to obtain an approved NPDES permit from the Los Angeles County Department of Public Works. All development and redevelopment projects which fall into one of the Standard Urban Stormwater Mitigation Plan (SUSMP) project types must obtain SUSMP approval by the appropriate agency.
24. The permittee shall suspend construction in the vicinity of a cultural or paleontological resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist or paleontologist can examine them and determine appropriate mitigation measures.
25. The project will comply with SCQAMD Rule 403—Fugitive Dust control measures. The project will incorporate all right-of-way improvements required by the Department of Public Works. The project shall comply with all EVR Phase II vapor recovery standards.

26. Before the issuance of building permits, the project will be required to obtain approval from the Department of Public Works regarding right-of-way improvements. Existing driveway aprons and curb ramps along the project site frontage shall be reconstructed to ADA standards.
27. Should any future operation within the project site include the construction, modification, removal, or excavation of underground storage tanks, industrial waste treatment or disposal facilities, and/or stormwater treatment facilities, Public Works' Environmental Programs Division shall be contacted for required approvals and operating permits.
28. Prior to the demolition of the existing building, a statistically valid number of soil samples and accompanying analysis shall be obtained from the project site and submitted to the Los Angeles County Fire Department Health Hazardous Materials Division, to the satisfaction of said division.
29. This grant allows for the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption, located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District of Los Angeles County, subject to the following conditions:
 - a. The sale of beer and wine for off-site consumption shall be permitted only between the hours of 10:00 am – midnight, Sunday through Thursday, and between the hours of 10:00 am – 1:00 am Friday and Saturday;
 - b. No beer or wine shall be displayed within five feet of the cash register or the front door, as required by Section 22.56.245 of the County Code;
 - c. No sale of alcoholic beverages shall be made from a drive-in window, as required by Section 22.56.245 of the County Code;
 - d. No display or sale of beer or wine shall be made from an ice tub, as required by Section 22.56.245 of the County Code;
 - e. No self-illuminating advertising for beer or wine shall be located on buildings or windows;
 - f. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area;
 - g. The permittee shall not advertise alcoholic beverages on the exterior walls or windows of the subject convenience store or at any exterior location on the subject property, including pump islands, as required by Section 22.56.245 of the County Code;

- h. The permittee shall post the following signs on the premises (in English and Spanish) to the satisfaction of the Director of Planning:
 - i. Prohibiting the consumption of alcoholic beverages on site and prohibiting loitering;
 - ii. Notifying patrons that it is a violation of the California State Vehicle Code to transport open containers of alcoholic beverages within the passenger compartment of a motor vehicle;
 - iii. Stating that the cash register contains \$100.00 or less in cash and that the drop safe is not accessible to employees, and;
- i. The permittee shall not sell beer in individual containers of less than 48 ounces or multiple containers in less than six-pack quantities;
- j. The permittee shall not sell wine, with the exception of wine coolers, in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
- k. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises;
- l. The permittee shall maintain a video camera mounted inside the premises in such a position as to be visible to patrons yet not accessible by reach;
- m. The permittee shall instruct all employees in the regulations regarding no loitering and no consumption of beer and wine on site. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
- n. All sellers of alcoholic beverages must be at least 18 years old. Between the hours of 10:00 pm and 1:00 am, all sellers of alcoholic beverages must be at least 21 years old. The licensee (or designated representative thereof), all managers, and employees of the establishment 18 years of age or older shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the California Department of Alcoholic Beverage Control, or an equivalent program as determined by the Director of Planning. This training shall be ongoing and all new employees shall be required to attend. The licensee shall display a certificate or plaque in a public area of the establishment indicating they have participated in this program;

- o. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control;
- p. The permittee shall place at least one 13-gallon trash receptacle inside the business and one 32-gallon trash receptacle outside the business for use by customers;
- q. Outside storage is expressly prohibited;
- r. Off-site signs are prohibited;
- s. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles is prohibited;
- t. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage
- u. The licensed premises shall have no other coin operated amusements at any time, other than official State Lottery machines;
- v. No ice in quantities of less than two pounds shall be sold, furnished, or given away;
- w. There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages sold, furnished, or given away in quantities of less than 24 in their original multi-container package;
- x. Public telephones located in front of the premises shall be for outgoing calls only;
- y. The conditions of this grant shall be retained on the premises at all times and be immediately produced upon request of any County Sheriff, Zoning Enforcement Inspector or ABC investigator. The convenience store manager and all employees of the convenience store shall be knowledgeable of the conditions herein;
- z. A minimum of nine (9) off-street parking spaces, including one space reserved for the handicapped, shall be provided on site.

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
LOCAL PLAN AMENDMENT NO. 200900011**

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65350) provides for the adoption of amendments to county general plans; and

WHEREAS, the applicant, BP West Coast Products, LLC, has requested an amendment to the East Los Angeles Community Plan; and

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted concurrent public hearings regarding Plan Amendment No. 200900011, Zone Change No. 200800009, and Conditional Use Permit No. 200800181 on May 5, 2010 and on June 16, 2010; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of land use designation from MD (Medium Density Residential) to MC (Major Commercial) on 0.45 gross acres within the East Los Angeles Community Plan.
2. The subject property consists of approximately 0.45 gross acres, located at 3949 Dennison Street in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
3. The Plan Amendment request was heard concurrently with Conditional Use Permit No. 200800181 and Zone Change No. 200800009 at the May 5, 2010 public hearing.
4. Conditional Use Permit No. 200800181 is a related request to authorize the construction, operation and maintenance of a new 2,120 square-foot convenience store with the sale of beer and wine for off-site consumption.
5. Zone Change No. 200800009 is a related request to authorize the change in the zoning of the subject property from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business – Development Program).
6. The 200800181 conditional use permit site plan, labeled Exhibit "A", depicts the 2,120 square-foot convenience store and service station, which includes two (2) gasoline pump canopies of 650 and 1,378 square feet, respectively. One contiguous parking area with a total of nine (9) parking spaces is shown. Access to the site is shown from Dennison Street to the south and from Ditman Avenue to the east. An entrance/exit ramp from the Santa Ana (5) Freeway connects to the southern end Dennison/Ditman intersection, which is located adjacent to the

subject property.

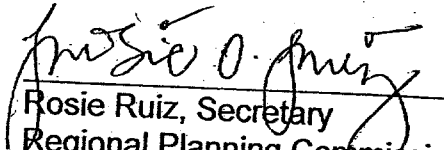
7. The subject property is currently zoned R-3 (Limited Multiple Residence). The subject property is developed with a service station.
8. Modified conditions warrant a revision in the land use designation of the subject property to foster implementation of planning goals and policies listed in the East Los Angeles Community Plan. One of the Plan's Physical Environment Goals is to encourage high standards of development and improve the aesthetic qualities of the community. Plan Policies include maintaining consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards, maintaining and enhancing the quality of healthy and stable residential neighborhoods, and encouraging the renovation of buildings to meet present seismic safety standards.
9. A need exists for the proposed change from Medium Density Residential to Major Commercial to achieve greater consistency between land use classification and actual land use patterns in the East Los Angeles community. The expansion and renovation of the pre-existing business requires that the land use classification be changed.
10. The subject property is a proper location for the proposed Major Commercial designation and placement of the proposed designation at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The subject property is located immediately adjacent to a similar use within the Major Commercial land use classification and is also adjacent to a freeway entrance and exit, where auto-oriented services are needed.
11. The proposed plan amendment is consistent with the goals and objectives of the East Los Angeles Community Plan.
12. An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study determined that a Negative Declaration would be required. The initial study showed that the design of the project would mitigate the environmental impact of the project to a level of no significance.
13. The Commission approves the Negative Declaration prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the Negative Declaration has been completed in compliance with CEQA, the CEQA

Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission.

THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of land use classification of the subject property within the East Los Angeles Community Plan from MD (Medium Density Residential) to MC (Major Commercial) with development restrictions as provided by the related Conditional Use Permit No. 200800181; and
2. That the Board of Supervisors certify completion of and approve the attached Negative Declaration; and
3. That the Board of Supervisors find that there is a need for the proposed Local Plan Amendment; and
4. That the Board of Supervisors find that the particular amendment proposed is appropriate and proper; and
5. That the Board of Supervisors find that modified conditions warrant a revision to the County of Los Angeles East Los Angeles Community Plan; and
6. That the Board of Supervisors find that approval of the proposed Local Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practice; and
7. That the Board of Supervisors adopt the above recommended Plan Amendment.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on June 16, 2010.


Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
ZONE CHANGE CASE NO. 200800009**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted public hearings in the matter of Zone Change Case No. 200800009 on May 5, 2010 and June 16, 2010; and,

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of zone from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business – Development Program) on 0.45 gross acres.
2. The subject property consists of approximately 0.45 gross acres, located at 3949 Dennison Street in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
3. The Zone Change request was heard concurrently with Conditional Use Permit No. 200800181 and Local Plan Amendment No. 200800011 at the May 5, 2010 public hearing.
4. Conditional Use Permit No. 200800181 is a related request to authorize the construction, operation and maintenance of a new 2,120 square-foot convenience store with the sale of beer and wine for off-site consumption.
5. Local Plan Amendment No. 200800011 is a related request to authorize the change in the land use designation from Medium Density Residential to Major Commercial within the East Los Angeles Community Plan.
6. The 200800181 conditional use permit site plan, labeled Exhibit "A", depicts the 2,120 square-foot convenience store and service station, which includes two (2) gasoline pump canopies of 650 and 1,378 square feet, respectively. One contiguous parking area with a total of nine (9) parking spaces is shown. Access to the site is shown from Dennison Street to the south and from Ditman Avenue to the east. An entrance/exit ramp from the Santa Ana (5) Freeway connects to the southern end Dennison/Ditman intersection, which is located adjacent to the subject property.
7. The subject property is currently zoned R-3 (Limited Multiple Residence). The subject property is developed with a service station.
8. Modified conditions warrant a revision in the zoning of the subject property to foster implementation of planning goals and policies listed in the East Los Angeles Community Plan. One of the Plan's Physical Environment Goals is to

encourage high standards of development and improve the aesthetic qualities of the community. Plan Policies include maintaining consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards, maintaining and enhancing the quality of healthy and stable residential neighborhoods, and encouraging the renovation of buildings to meet present seismic safety standards.

9. A need exists for the proposed Zone Change from R-3 to C-1-DP to achieve greater consistency between zoning and actual land use patterns in the East Los Angeles community. The expansion and renovation of the pre-existing business requires that the zoning be changed.
10. The subject property is a proper location for the proposed C-1-DP zoning classification and placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The subject property is located immediately adjacent to a similar use within the C-1-DP zone and is also adjacent to a freeway entrance and exit, where auto-oriented services are needed.
11. The proposed Zone Change from R-3 to C-1-DP is consistent with the goals and objectives of the East Los Angeles Community Plan.
12. An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study determined that a Negative Declaration would be required. The initial study showed that the design of the project would mitigate the environmental impact of the project to a level of no significance.
13. The Commission adopts the Negative Declaration prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the Negative Declaration has been completed in compliance with CEQA, the CEQA Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission.

THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of zone from R-3 to C-1-DP with development restrictions

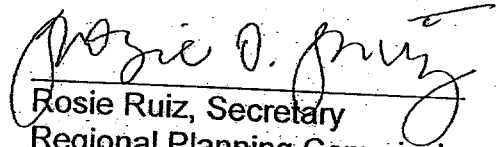
ZONE CHANGE NO. 200800009 RESOLUTION

PAGE 3 OF 3

as provided by the related Conditional Use Permit No. 200800181; and

2. That the Board of Supervisors certify completion of and approve the attached Negative Declaration; and
3. That the Board of Supervisors find the recommended zoning is consistent with the Los Angeles County General Plan;
4. That the Board of Supervisors find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone; and
5. That the Board of Supervisors adopt the above recommended change of zone.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on June 16, 2010.


Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles

Regional Planning Commission Transmittal Checklist

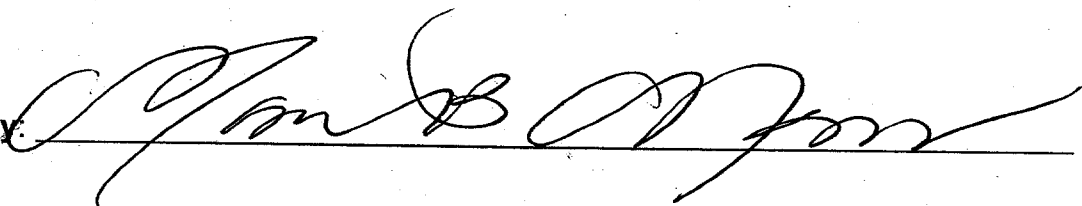
Hearing Date
5/5/2010

Agenda Item Number
8

Project Number: R2008-02217-(1)
Case(s): Local Plan Amendment No. 200800011
 Zone Change No. 200800009
 Conditional Use Permit No. 200800181
 Environmental Assessment No. 200900025
Contact Person: Tyler Montgomery, Zoning Permits II

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other

Reviewed By:





Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT NO. R2008-02217-(1)
LOCAL PLAN AMENDMENT NO. 200800011
ZONE CHANGE NO. 200800009
CONDITIONAL USE PERMIT NO. 200800181

RPC/HO MEETING DATE May 5, 2010	CONTINUE TO
AGENDA ITEM 8	
PUBLIC HEARING DATE May 5, 2010	

APPLICANT BP West Coast Products		OWNER BP West Coast Products		REPRESENTATIVE Erika Skeie	
REQUEST Local Plan Amendment: To change the existing land use classification from Medium Density Residential to Community Commercial. Zone Change: To change the zoning of a property from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business, Development Program). Conditional Use Permit: To construct and operate a 24-hour convenience store with sales of beer and wine for off-site consumption within the Development Program overlay.					
LOCATION/ADDRESS 3949 Dennison Street, within the East Los Angeles Community Standards District (CSD)			ZONED DISTRICT Eastside Unit No. 1		
ACCESS From the south via Dennison Street and from the east via South Ditman Avenue			COMMUNITY East Los Angeles		
			EXISTING ZONING R-3 (Limited Multiple Residence)		
SIZE 19,430 square feet		EXISTING LAND USE Service station		SHAPE Rectangular	TOPOGRAPHY Flat
SURROUNDING LAND USES & ZONING North: Single-family and multiple-family residences—R-3 (Limited Multiple Residence) South: Santa Ana (5) Freeway			East: Gas station and convenience store—C-1-DP (Restricted Business, Development Program) West: Single-family and multiple-family residences—R-3 (Limited Multiple Residence)		
GENERAL PLAN	DESIGNATION		MAXIMUM DENSITY	CONSISTENCY	
East Los Angeles Community Plan	MD (Medium Density Residential)		30 dwelling units/acre	See Staff Analysis	
ENVIRONMENTAL STATUS CEQA Negative Declaration					
DESCRIPTION OF SITE PLAN The applicant, BP West Coast Products (ARCO), proposes to demolish an existing 1,625 square-foot auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the property. The project would add 1,405 square feet of landscaping, for a total of 1,945 square feet, and nine (9) on-site parking spaces would be provided. The existing gas pump canopies and pole signs would be renovated.					
KEY ISSUES ▪ Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code: Conditional Use Permit Burden of Proof requirements. Satisfaction of Section 22.16.110 of the Los Angeles County Code: Zone Change Burden of Proof requirements. Satisfaction of Section 22.16.170 of the Los Angeles County Code: Plan Amendment Burden of Proof requirements.					

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

*(O) = Opponents (F) = In Favor

STAFF ANALYSIS

PROJECT NUMBER

R2008-02217-(1)

CASE NUMBERS

Local Plan Amendment No. 200800011

Zone Change No. 200800009

Conditional Use Permit No. 200800181

Environmental Assessment No. 200900025

ENTITLEMENTS REQUESTED

The applicant, BP West Coast Products (ARCO), proposes to demolish an existing 1,625 square-foot convenience store and auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the subject property. The existing use is located in the R-3 (Limited Multiple Residence) zone and within the Medium Density Residential land use category of the East Los Angeles Community Plan. In order to allow for this expansion of a nonconforming use, the applicant is applying for the following entitlements:

Local Local Plan Amendment: Pursuant to Section 22.16.070 of Title 22 of the Los Angeles County Code, a request to change the existing land use classification from Medium Density Residential to Major Commercial.

Zone Change: Pursuant to Section 22.16.070 of Title 22 of the Los Angeles County Code, a request to change the zoning of a property from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business, Development Program).

Conditional Use Permit: Pursuant to Section 22.56.010 of Title 22 of the Los Angeles County Code, a request to construct and operate a 24-hour convenience store with sales of beer and wine for off-site consumption within the Development Program overlay.

DESCRIPTION OF SUBJECT PROPERTY

Location

The subject property is located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).

Physical Features

The site is approximately one-half acre and developed with an existing ARCO service station. The property is level and paved, except for 540 square feet of landscaping. It is located at the northwest corner of Dennison Street and South Ditman Avenue in East Los Angeles, and an on/off ramp for the northbound Santa Ana Freeway (Interstate 5) connects to this intersection from the south. The subject property is accessed via four

(4) driveways: two (2) from Ditman Avenue to the east and two (2) from Dennison Street to the south. An on/off ramp from Interstate 5 connects to the southern end of the Dennison/Ditman intersection, which is located adjacent to the subject property.

EXISTING ZONING

Subject Property

The subject property is zoned R-3 (Limited Multiple Residence) and is located within the East Los Angeles Community Standards District (CSD).

Surrounding Properties

Surrounding properties are zoned as follows:

North: R-3 (Limited Multiple Residence)
South: Santa Ana (5) Freeway
East: C-1-DP (Restricted Commercial; Development Program)
West: R-3 (Limited Multiple Residence)

EXISTING LAND USES

Subject Property

The subject 19,410 square-foot property contains an existing ARCO service station, including a 1,625 square-foot convenience store and auto service center, two (2) gas pump canopies of 650 square feet and 1,378 square feet, respectively, with a total of six (6) gas pumps and 540 square feet of landscaping.

Surrounding Properties

Land uses within 500' of the subject property consist of the following:

North: Single-family and multiple-family residences
South: Santa Ana (5) Freeway
East: Gas station and convenience store
West: Single-family and multiple-family residences

PREVIOUS CASES

Zone Exception Case No. 9050

Approved September 15, 1970

Authorized the establishment of a service station on the subject property

Nonconforming use amortized November 1991

Nonconforming Review No. 92-255

Approved March 9, 1993

Authorized the continued operation and maintenance of a service station and convenience store within the R-3 (Limited Multiple Residence) zone

Expired March 9, 2008

SITE PLAN

The applicant, BP West Coast Products (ARCO), proposes to demolish an existing 1,625 square-foot convenience store and auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the half-acre property. The new building would have a maximum height of 20 feet. The project would add 1,405 square feet of landscaping, for a total of 1,945 square feet, and nine (9) on-site parking spaces would be provided, one of which would be reserved for the handicapped. Two (2) gas pump canopies of 650 square feet and 1,378 square feet, respectively, with a total of six (6) gas pumps would remain, although they would be refurbished. The property is level and paved, with two driveways accessing Dennison Street to the south and two driveways accessing Ditman Avenue to the east. A new 25-foot-high monument sign is proposed for the southeastern corner of the property, and an existing 55-foot-high pole sign is proposed to remain. A trash enclosure would be located on the northeastern portion of the property.

East Los Angeles Community Plan—Land Use Policy Map

The project site is designated Medium Density Residential in the East Los Angeles Community Plan of the Los Angeles County General Plan. The intent of this land use category is to accommodate apartments and other multi-family housing, generally not exceeding three stories in height. The maximum density is 30 dwelling units per net acre.

The existing gas station is a legal non-conforming use. The gas station was established in 1970, prior to the adoption of the East Los Angeles Community Plan and the R-3 (Limited Multiple Residential) zone. Legally non-conforming uses are allowed to continue if they are found to be operating in full compliance with applicable codes and ordinances and can be shown to fill an important social or economic need within the area. However, expansion or intensification of these uses is not permitted except through the Local Plan Amendment process. To allow the expansion of the existing use, the applicant needs a Local Local Plan Amendment of the East Los Angeles Community Plan. Amending the Community Plan's land use classification on the project site to Major Commercial will allow the gas station to be renovated and the convenience store to be constructed. This land use category is meant to accommodate a variety of large and small businesses. The proposed use would be consistent with this classification.

Pertinent Policies

The proposed project supports the following goals and policies of the East Los Angeles Community Plan:

Physical Environment Goal: To encourage high standards of development and improve the aesthetic qualities of the community.

Plan Policies:

- Maintain consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards.

- Maintain and enhance the quality of healthy and stable residential neighborhoods.
- Encourage the renovation of buildings to meet present seismic safety standards.
- Promote coordination and development of existing businesses and encourage upgrading to improve their economic status.

In addition, under the Community Plan's Land Use standards for the Major Commercial classification, maximum lot coverage is limited to 90% and maximum building height is limited to 40 feet. The proposed use complies with these standards.

Compliance with Applicable Zoning Standards

Per Section 22.28.080 of the current County Code (Zoning Ordinance), automobile service stations, including incidental repair, washing and rental of utility trailers are allowed in the proposed C-1 Zone subject to the provisions of Section 22.28.090B. The proposed use will demolish the existing mini-mart and service station with auto service building and replace it with a new 2,120 sq. ft. convenience store. The required conditional use permit in this case allows discretionary review and/or modification to the C-1 zone standards cited as following:

- Not more than 90 percent of the net area will be occupied by buildings with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area.

Less than 90 percent (2,120 sq. ft., or 11 percent) of the applicant's site plan is occupied by the proposed convenience store. This adheres to the zoning code. Exactly 10 percent of the lot area (1,945 sq. ft.) is proposed to be landscaped, which also conforms to the C-1 development standards.

- Parking facilities should be developed as required by Part 11 of Chapter 22.52. Section 22.52 of the County Code does not specify parking requirements for gas stations. However, since there is a commercial use on the subject property with the proposed food mart, Section 22.52.1100 applies, requiring a minimum of eight (8) parking spaces, including one for handicapped parking.

The applicant's site plan depicts 10 parking spaces on the subject property, one of which is reserved for the handicapped, thus meeting the parking requirements.

- All display shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit.

The applicant is not proposing outside display as part of this request.

- Outside storage is permitted on the rear of a lot or parcel of land when such storage is strictly incidental to the permitted use.

The applicant is not proposing outside storage as part of this request.

Compliance with East Los Angeles Community Standards District

The project site also falls within the boundaries of the East Los Angeles Community Standards District, as described in the Zoning Ordinance under section 22.44.118. The following development standards apply to the proposed project, although they may be modified through the conditional use permit process:

- Height Limit. The maximum height of any structure shall be 40 feet except that devices or apparatus essential to industrial processes or communications related to public health and safety may be 50 feet in height or as otherwise specified in this section; said heights may be modified subject to a conditional use permit.

Compliance: The maximum heights of the proposed food mart building and new monument sign are 20 feet and 25 feet, respectively, thus meeting the height limit requirement. The existing pole sign, which is proposed to remain, is approximately 55 feet high and does not meet this requirement.

- Signage. a. One freestanding sign shall be permitted where one of the following findings can be made:
 - i. Subject building is at least 35 feet from the front property line.
 - ii. Subject building has more than two tenants and the secondary tenants have no street frontage.
 - iii. Adjacent buildings are within 10 feet of the front property line and the subject building is at least 10 feet behind either of the adjacent buildings.

Compliance: The subject building is more than 35 feet away from both the southern and eastern property lines. Therefore one freestanding sign is permitted on the subject property. There is currently one pole sign existing on the site, and the applicant proposes to add a second.

b. Sign areas shall comply with the following requirements:

- i. The total permitted sign area of all signs on a building or site is 10 percent of the building face (not to exceed 240 sq. ft.)
- ii. Building face area is the height of the building (not including the parapet) multiplied by its frontage.

Building face area = height (16 ft.) X frontage (71ft.)
= approximately 1,136 sq. ft.

Total permitted sign area = 0.10 X 1,136
= approximately 114 sq. ft.

Compliance: The applicant's site plan depicts a total of 242.29 square feet of new signage on the project site. This does not include the existing double-faced pole sign, which has approximately 375 square feet of sign area. As a result, the project would not meet the CSD signage standards.

- Zone Specific Development Standards (C-1 Zone)

- a. The maximum height permitted in Zone C-1 shall be 35 feet.

Compliance: The maximum heights of the proposed food mart building and new monument sign are 20 feet and 25 feet, respectively, thus meeting the height limit requirement. The existing pole sign, which is proposed to remain, is approximately 55 feet high and does not meet this requirement.

- b. Multiple-tenant Commercial.

Compliance: There is only one tenant on the subject site.

- c. Landscape and Buffering

- i. Whenever adjacent to a property line, parking areas shall provide a landscaped buffer strip of at least five feet in width.
 - ii. Where a commercial zone abuts a residence or residential zone, a landscaped buffer strip at least five feet wide shall be provided.
 - iii. Landscaping shall be provided and maintained in a neat and orderly manner. A 15-gallon tree shall be provided for every 50 sq. ft. of landscaped area, to be equally spaced along the buffer strip. The landscaping materials shall be approved by the director.
 - iv. Permanent irrigation systems shall be required and maintained in good working order.
 - v. A solid masonry wall not less than five feet high nor more than six feet in height shall be provided along the side and rear property lines.
 - vi. A site plan shall be submitted to and approved by the

- director to ensure that the use will comply with the provisions of this section as provided in Part 12 of Chapter 22.56.
- vii. The director of planning may modify the foregoing requirements for landscaping and buffering where their strict application is deemed impractical because of physical, topographical, title or other limitations. Any such modification may include substitution of landscaping or fencing materials. In granting any such modification, the director shall find that the intent and spirit of this section is being carried out.

Compliance: The applicant's site plan shows landscape buffer strips 5 ft. in width along the northern and most of the western property lines.

Approximately 1,945 sq. ft. of landscaping is being provided. Therefore 39 trees are required. The applicant's site plan shows only one tree, and is therefore not in compliance with this requirement.

A condition has been added to the CUP to require and maintain permanent irrigation systems in good working order.

A solid 6 ft. tall masonry wall is shown on the site plan along the northern and western property lines where the business abuts residential properties, thus meeting the requirement for a wall along the property lines.

- d. Loading. Where practical loading doors and activity shall be located away from adjacent residences.

Compliance: The applicant's site plan shows that the loading area is away from adjacent residences, thus meeting this requirement.

LOCAL PLAN AMENDMENT BURDEN OF PROOF

The applicant must substantiate to the satisfaction of the Commission the following facts:

1. That there is a need for the proposed General Local Plan Amendment;
2. That the particular amendment proposed is appropriate and proper;
3. That modified conditions warrant a revision to the County of Los Angeles General Plan; and
4. Approval of the proposed General Local Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practice.

See attached applicant's response. It appears that the applicant has satisfied the required Burden of Proof findings. See above staff responses concerning the Burden of Proof requirements for the CUP and Zone Change.

ZONE CHANGE BURDEN OF PROOF

Pursuant to Los Angeles County Code Section 22.16.110, the applicant shall substantiate to the satisfaction of the Commission the following facts:

- A. Modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and
- B. A need for the proposed zone classification exists within such area or district; and
- C. The particular property under consideration is a proper location for said zone classification within such area or district; and
- D. Placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity of good zoning practice.

In addition, to making the findings that the applicant has substantiated these facts, the Commission must also consider the following as described in Section 22.16.150:

- E. That the proposed zone change is consistent with the adopted general plan for the area.

See attached applicant's response.

This request should not be considered "spot zoning," since the service station and mini-mart immediately to the east is also zoned C-1-DP and carries a commercial land use designation. The Commission should also take into consideration the following:

- The current service station has operated for the last 40 years without any problems or complaints.
- The current use was authorized through a Zone Exception in 1970 and again through a Nonconforming Review in 1993.
- Across the street along Ditman and Dennison is another gas station operating under the same zoning and land use classification that is being requested by the applicant.
- On the other side of the freeway is a similar pattern of commercial adjacent to residential uses, including a number of auto-related businesses.
- The proposed use is located adjacent to a freeway on-ramp/off-ramp.
- Services are provided both for the neighborhood and freeway travelers.

The proposed use, with the elimination of the automobile lube/filter operation, an improved building, and upgraded landscaping would be an improvement to the subject property.

CONDITIONAL USE PERMIT BURDEN OF PROOF

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer and/or the Commission, the following facts:

- A. That the requested use at the location proposed will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required.

The applicant's Burden of Proof responses are attached to this document.

ADDENDUM BURDEN OF PROOF FOR ALCOHOL PERMITS

Per Section 22.56.195 of the Los Angeles County Code, in addition to the findings required pursuant to subsection A of Section 22.56.090, the applicant shall also substantiate to the Hearing Officer and/or Commission the following facts:

- A. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and
- B. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500' shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- C. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and

- D. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

The applicant's Burden of Proof responses are attached to this document.

ENVIRONMENTAL DOCUMENTATION

Staff has determined that a Negative Declaration is the appropriate environmental document under California Environmental Quality Act (CEQA) reporting requirements. The project design and/or imposed conditions would mitigate the project's environmental impact to a level of no significance.

STATE AND COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Los Angeles County Fire Department

County Fire has reviewed the proposed project and has cleared it for public hearing. They have also reviewed the Initial Study and have requested that a condition of approval be added requiring that a statistically valid number of soil samples be obtained from the project site prior to demolition of the existing building. The result of the preliminary soil data should indicate if further assessment or mitigation is required for the site.

Los Angeles County Department of Public Works

Public Works has reviewed the proposed project and the Initial Study. They have provided comments and/or conditions regarding sewer capacity, water quality, environmental health and safety, and ADA compliance. All of these comments were incorporated into the Initial Study and, if applicable, the conditions of approval.

Los Angeles County Department of Public Health

Public Health has reviewed the proposed project and the Initial Study. They have requested that certain construction equipment and operation requirements—including a restriction of hours from 7:00 a.m. to 7:00 p.m., Monday through Saturday—be added in order to mitigate noise impacts. These have been added to the Initial Study and as conditions of approval.

California Department of Alcoholic Beverage Control

Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located within a high crime reporting district and within a census tract with an over-concentration of alcohol sales.

Los Angeles County Sheriff's Department

The East Los Angeles Station of the Los Angeles County Sheriff's Department was consulted regarding the project. Staff sent requests for comments on three (3) separate occasions regarding the proposed project. No response was received.

PUBLIC COMMENTS

Legal Notification/Community Outreach

A total of 124 public hearing notices regarding the proposal were mailed to property owners within the 500-foot radius of the subject property and other interested parties on March 30, 2010. The hearing notice was also published in the *East L.A. Tribune* on and in *La Opinion* on April 1, 2010. Case-related materials were to the El Camino Real Library and posted on the department web page. The hearing notice has been posted on the property for at least 30 days prior to the public hearing date. No comments had been received from the public regarding this proposal at the time of this report.

STAFF EVALUATION

Per Section 22.28.080 of the current County Code (Zoning Ordinance), an automobile service station is a permissible use in the C-1 Zone.

The addition of the DP-Development Program to the zone change will restrict the development of the re-zoned site to the food mart and service station buildings. No other development will be permitted without a new conditional use permit being filed.

This gas station was approved under a Zone Exception and has been in existence since 1970. It was allowed to continue operations under Non-Conforming Review Case no. 92-255, which was approved in 1993 for a 15-year grant. To alter the gas station by demolishing the existing structure and construct a convenience store, a change of zone is required. The applicant is requesting a change of zone to C-1-DP which will allow discretionary approval of the remodeled service station.

The request for a conditional use permit for the gas station and mini-mart is contingent upon the Board of Supervisors approving the request to change the East Los Angeles Community Plan land use classification of the property from Medium Density Residential to Major commercial, and the zone from R-3 to C-1-DP. The conditional use permit would authorize the demolition of the mini-mart and auto service building, and subsequently constructing a new 2,120 sq. ft. convenience store. The existing fuel pump canopies would be refurbished, a new monument sign would be constructed, and 1,405 square feet of landscaping would be added.

There are several requirements of the East Los Angeles CSD that would not be met by the project as it is currently proposed. However, these requirements may be modified as part of the CUP if they are found by the Commission to be impractical.

1. The existing 55-foot tall pole sign, which is proposed to remain, does not meet the 35-foot height limitation for the C-1 zone within the CSD. It would also violate the sign requirements of the CSD, as only one monument sign is

allowed for each property. It is staff's recommendation that this sign be removed as a condition of approval for the project.

2. The CSD requires a five-foot-wide landscaped buffer along the northern and western property lines. This is not provided for approximately 70 feet along the western boundary, where the buffer between the new convenience store building and the property line is only two (2) feet and not landscaped. The applicant has stated that a five-foot buffer would not be practical for this area, as the additional space in front of the building is required to maintain traffic circulation throughout the site.
3. The 1,945 square feet of landscaping proposed for the project site would require the installation of 39 trees. Because adequate spaces for trees on the site are limited, staff recommends a minimum of 10 trees be planted within the proposed landscaping, which would still be required to adhere to the County's drought tolerant landscaping ordinance.
4. The requirements of the CSD would normally allow a total sign area of 114 square feet for the proposed project. Not including the existing pole sign, the project proposes approximately 242 square feet of signage. However, 115 square feet of this is proposed for the monument sign. Because such signs, which include pricing of gasoline, are generally considered to be necessary for service stations, and because none of the proposed signage would be out of character for the area, staff recommends that the signage be approved as proposed (with the exception of the existing pole sign).

The project is located within a high crime reporting district. The Sheriff's Department has not commented on the proposal to sell alcohol at the location. An undue concentration of ABC licenses within the census tract also exists. There are no sensitive uses within 600 feet of the project site. The impact of the project would be mitigated by the fact that the applicant has agreed to purchase an existing liquor license within the East Los Angeles area. Therefore, no new licenses would be added. In addition, within the immediate vicinity there are no other facilities selling beer and wine for off-site consumption.

The granting of this Conditional Use Permit to sell beer and wine for on-site consumption at an existing restaurant would serve as a public convenience, as there are no other markets selling beer and wine within the immediate area.

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit 200700181, subject to the attached conditions. Staff also recommends that the Regional Planning Commission recommend approval of Local Plan Amendment No. 200800011 and Zone Change No. 200800009 to the Board of Supervisors with the attached resolutions.

FEES/DEPOSITS

If approved, the following fees will apply unless modified by the Commission:

PROJECT NO. R2008-02217-(1)
LOCAL LOCAL PLAN AMENDMENT 200800011;
OF 13
ZONE CHANGE 200800009; CONDITIONAL USE PERMIT 200800181

STAFF ANALYSIS
PAGE 13

Zoning Enforcement

1. Inspection fees of \$1000.00 to cover the costs of 5 recommended biennial zoning enforcement inspections for the conditional use permit.

Prepared by Tyler Montgomery, Regional Planning Assistant II
Reviewed by Maria Masis, Zoning Permits II Section Head

SUGGESTED MOTIONS

I move that the Regional Planning Commission close the public hearing and **ADOPT** the Negative Declaration associated with Environmental Assessment No. 200900025.

I move that the Regional Planning Commission **APPROVE** Conditional Use Permit 200700181 with the attached Findings and Conditions and recommend approval of Local Plan Amendment No. 200800011 and Zone Change 200800009 to the Board of Supervisors for its consideration with the attached Resolutions.

Attachments:

Draft Findings for CUP 200800181
Draft Conditions of Approval for CUP 200800181
Draft Resolution for PA 200800011
Draft Resolution for ZC 200800009
Current Land Use & Zoning Map
Proposed Land Use & Zoning Map
Applicant's Burden of Proof statements
3/19/09 Clearance from County Fire
3/17/10 Letter from County Fire
1/13/10 Letter from Public Health
1/27/10 Letter from Public Works
Initial Study with Negative Declaration
Site Photographs

MM:TM
04/22/10

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

**PROJECT NUMBER R2008-02217-(1)
CONDITIONAL USE PERMIT NUMBER 200800181**

REGIONAL PLANNING COMMISSION HEARING DATE: MAY 5, 2010

SYNOPSIS:

Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone.

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

Findings

1. Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone.
2. The granting of this conditional use permit is contingent upon the approval of Local Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors.
3. The subject property is located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
4. The site is approximately one-half acre and developed with an existing ARCO service station. The property is level and paved, except for 540 square feet of landscaping. It is located at the northwest corner of Dennison Street and South Ditman Avenue in East Los Angeles, and an on/off ramp for the northbound Santa Ana Freeway (Interstate 5) connects to this intersection from the south. The subject property is accessed via four (4) driveways: two (2) from Ditman Avenue to the east and two (2) from Dennison Street to the south.
5. The subject property is proposed to be zoned C-1-DP (Restricted Business; Development Program).
6. Surrounding properties within the 500-foot radius of the project are zoned as follows:
North: R-3 (Limited Multiple Residence)

South: Santa Ana (5) Freeway
East: C-1-DP (Restricted Business; Development Program)
West: R-3 (Limited Multiple Residence)

7. Land uses within 500 feet of the subject property consist of the following:
 - North: Single-family and multiple-family residences
 - South: Santa Ana (5) Freeway
 - East: Service station and convenience store
 - West: Single-family and multiple-family residences
8. Zone Exception Case No. 9050 authorized the establishment of a service station at the subject property. The permit was approved in 1970, and the use amortized in 1991. Nonconforming Review No. 92-255 allowed the continued operation of the service station. The permit was approved in 1993 and expired in 2008.
9. The subject property is proposed to be designated as Major Commercial within the East Los Angeles Community Plan. The purpose of this land use classification is to provide for a variety of both large and small businesses. The establishment of a service station and convenience store is consistent with this designation.
10. The applicant proposes to demolish an existing 1,625 square-foot convenience store and auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the half-acre property. The new building would have a maximum height of 20 feet. The project would add 1,405 square feet of landscaping, for a total of 1,945 square feet, and nine (9) on-site parking spaces would be provided, one of which would be reserved for the handicapped. Two (2) gas pump canopies of 650 square feet and 1,378 square feet, respectively, with a total of six (6) gas pumps would remain, although they would be refurbished. The property is level and paved, with two driveways accessing Dennison Street to the south and two driveways accessing Ditman Avenue to the east. A new 25-foot-high monument sign is proposed for the southeastern corner of the property, and an existing 55-foot-high pole sign is proposed to remain. A trash enclosure would be located on the northeastern portion of the property.
11. Pursuant to Section 22.28.100 of the Los Angeles County Planning and Zoning Code (Title 22), premises in zone C-1 may be used for the sale of alcoholic beverages, for either on-site or off-site consumption, provided a conditional use permit has first been obtained and conforms to the conditions of said permit. A conditional use permit is also necessary for the establishment of a new use at the property, due to the -DP zoning overlay.
12. Less than 90 percent (2,120 sq. ft., or 11 percent) of the applicant's site plan is occupied by the proposed convenience store. This adheres to the development standards for the C-1 zone. Exactly 10 percent of the lot area (1,945 sq. ft.) is proposed to be landscaped, which also conforms to the C-1 development standards.

13. Per Section 22.52.1110 of the County Code, every structure used for amusement, assembly, drinking, eating or entertainment shall provide one or more automobile parking spaces for each three persons based on the occupant load as determined by the county engineer. All other uses other than business or professional offices shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used. The subject market has a floor area of 2,120 square feet and thus would require eight (8) parking spaces. Nine (9) parking spaces would be provided, one of which would be reserved for the handicapped.
14. The East Los Angeles CSD requires a five-foot-wide landscaped buffer along the northern and western property lines. This is not provided for approximately 70 feet along the western boundary, where the buffer between the new convenience store building and the property line is only two (2) feet and not landscaped. A five-foot buffer would not be practical for this area, as the additional space in front of the building is required to maintain traffic circulation throughout the site.
15. Under the requirements of the East Los Angeles CSD, the 1,945 square feet of landscaping proposed for the project site would require the installation of 39 trees. Because adequate spaces for trees on the site are limited, a minimum of 10 trees may be planted within the proposed landscaping.
16. The requirements of the CSD would normally allow a total sign area of 114 square feet for the proposed project. The project proposes approximately 242 square feet of signage. However, 115 square feet of this is proposed for the monument sign. Because such signs, which include pricing of gasoline, are generally considered to be necessary for service stations, and because none of the proposed signage would be out of character for the area, the signage is approved as proposed.
17. Staff has determined that a Negative Declaration is the appropriate environmental document under California Environmental Quality Act (CEQA) reporting requirements. The project design and/or imposed conditions would mitigate the project's environmental impact to a level of no significance.
18. Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located within a high crime reporting district and is within a census tract with an over-concentration of alcohol sales.
19. The East Los Angeles Station of the Los Angeles County Sheriff's Department was consulted regarding the project. No comments were provided.
20. As per the requirements of the Los Angeles County Code, the public hearing was adequately noticed through mailings, newspapers advertisement, and on-site posting. Case-related materials were also posted at the local library and on the Regional

Planning web page. No comments were received from the public regarding the project proposal.

17. There are no sensitive uses within 600 feet of the project site. The impact of the project would be mitigated by the fact that the applicant has agreed to purchase an existing liquor license within the East Los Angeles area. Therefore, no new licenses would be added.
18. The granting of this Conditional Use Permit to sell beer and wine for off-site consumption at a new convenience store would serve as a public convenience, as there are no other markets selling beer and wine within the immediate area.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area; and
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare; and
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features; and
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required; and
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and
- F. The requested use at the proposed location result in an undue concentration of similar premises; however, the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, and the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and

- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

1. The Commission adopts the Negative Declaration associated with Environmental Assessment No. 200900025.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200800181 is **APPROVED** subject to the attached conditions.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

1. c: Each Commissioner, Zoning Enforcement, Building and Safety.

MM:TM
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1. This grant authorizes the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption within the C-1-DP (Restricted Business; Development Program) zone, as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose and cannot be used until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and until all required fees have been paid pursuant to Condition Nos. 10 and 11. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 4 [indemnification], 5 [litigation deposit], and 6 [expiration date] shall be effective immediately upon final approval of this grant by the County.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with to Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with payment of the applicable fee, at least six months before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. **This grant shall terminate on May 5, 2020.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the sale of beer and wine after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the expiration of this permit, whether or not any modification of the use is requested at that time. The expiration of this grant shall not apply to the continued use of the service station and/or convenience store without any beer or wine sales.
10. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees (**currently \$2,085.25**) payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code and to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code.
11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. **The permittee shall deposit with the County of Los Angeles the sum of \$1,000.00.** These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. These funds provide for **five (5) biennial** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance.

Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost, whichever is greater.

12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Public Health.
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. Within thirty (30) days of the approval of this grant, any illegal signage shall be removed from the subject property. Any new or additional signage shall be in compliance with Part 10, Title 22 of Los Angeles County Code.
16. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
17. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent plans are submitted, the written authorization of the property owner is necessary.
18. The grant shall not be valid without the subsequent approval of Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors. Both cases were heard by the Regional Planning Commission concurrently with this grant and were recommended for approval to the Board of Supervisors.
19. Within 90 days of the use of any part of this grant, the permittee shall be required to

remove the existing 55-foot-tall pole sign located on the southwestern corner of the project site. Such removal shall be conducted in a manner approved by the Building & Safety Division of the Los Angeles County Department of Public Works.

20. A minimum of 1,945 square feet of landscaping shall be maintained on the project site. Within 30 days of final approval of this grant, the permittee shall submit a landscaping plan containing no fewer than 10 trees to the Director of Planning for review and approval. Landscaping shall comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list of the Department of Regional Planning. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. Throughout the term of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary.
21. All construction machinery shall be with suitable exhaust and air-intake silencers/mufflers, idling shall be minimized, and machinery shall be turned off when not in use and placed as far as possible from nearby residences. Construction activity shall be prohibited between 7 p.m. and 7 a.m., and all day on Sundays and legal holidays. Noise from compressors, air conditioners, and/or refrigeration units shall be limited to 55 dBA at the adjacent residential property lines. Such equipment shall also be shielded by an acoustical barrier or structure to cover the line of sight from adjacent residential units.
22. Before a building or grading permit is issued, the project will be required to obtain an approved NPDES permit from the Los Angeles County Department of Public Works. All development and redevelopment projects which fall into one of the Standard Urban Stormwater Mitigation Plan (SUSMP) project types must obtain SUSMP approval by the appropriate agency
23. The permittee shall suspend construction in the vicinity of a cultural or paleontological resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist or paleontologist can examine them and determine appropriate mitigation measures.
24. The project will comply with SCQAMD Rule 403—Fugitive Dust control measures. The project will incorporate all right-of-way improvements required by the Department of Public Works. The project shall comply with all EVR Phase II vapor recovery standards.
25. Before the issuance of building permits, the project will be required to obtain approval from the Department of Public Works regarding right-of-way improvements. Existing driveway aprons and curb ramps along the project site frontage shall be reconstructed

to ADA standards.

26. Should any future operation within the project site include the construction, modification, removal, or excavation of underground storage tanks, industrial waste treatment or disposal facilities, and/or stormwater treatment facilities, Public Works' Environmental Programs Division shall be contacted for required approvals and operating permits.
27. Prior to the demolition of the existing building, a statistically valid number of soil samples and accompanying analysis shall be obtained from the project site and submitted to the Los Angeles County Fire Department Health Hazardous Materials Division, to the satisfaction of said division.
28. This grant allows for the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption, located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District of Los Angeles County, subject to the following conditions:
 - a. The sale of beer and wine for off-site consumption shall be permitted only between the hours of 10:00 am – midnight, Sunday through Thursday, and between the hours of 10:00 am – 1:00 am Friday and Saturday;
 - b. No beer or wine shall be displayed within five feet of the cash register or the front door;
 - c. No sale of alcoholic beverages shall be made from a drive-in window;
 - d. No display or sale of beer or wine shall be made from an ice tub;
 - e. No self-illuminating advertising for beer or wine shall be located on buildings or windows;
 - f. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area;
 - g. The permittee shall not advertise alcoholic beverages on the exterior walls or windows of the subject market or at any exterior location on the subject property;
 - h. The permittee shall post the following signs on the premises (in English and Spanish) to the satisfaction of the Director of Planning:
 - i. Prohibiting the consumption of alcoholic beverages on site and prohibiting loitering;
 - ii. Notifying patrons that it is a violation of the California State Vehicle Code to

transport open containers of alcoholic beverages within the passenger compartment of a motor vehicle;

- iii. Stating that the cash register contains \$100.00 or less in cash and that the drop safe is not accessible to employees, and;
- i. The permittee shall not sell beer in individual containers of less than 48 ounces or multiple containers in less than six-pack quantities;
- j. The permittee shall not sell wine, with the exception of wine coolers, in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
- k. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises;
- l. The permittee shall maintain a video camera mounted inside the premises in such a position as to be visible to patrons yet not accessible by reach;
- m. The permittee shall instruct all employees in the regulations regarding no loitering and no consumption of beer and wine on site. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
- n. All sellers of alcoholic beverages must be at least 18 years old. Between the hours of 10:00 pm and 1:00 am, all sellers of alcoholic beverages must be at least 21 years old. The licensee (or designated representative thereof), all managers, and employees of the establishment 18 years of age or older shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the California Department of Alcoholic Beverage Control, or an equivalent program as determined by the Director of Planning. This training shall be ongoing and all new employees shall be required to attend. The licensee shall display a certificate or plaque in a public area of the establishment indicating they have participated in this program;
- o. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control;
- p. The permittee shall place at least one 13-gallon trash receptacle inside the business and one 32-gallon trash receptacle outside the business for use by customers;

- q. Outside storage is expressly prohibited;
- r. Off-site signs are prohibited;
- s. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles is prohibited;
- t. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage.
- u. The licensed premises shall have no other coin operated amusements at any time, other than official State Lottery machines;
- v. No ice in quantities of less than two pounds shall be sold, furnished, or given away;
- w. There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages sold, furnished, or given away in quantities of less than 24 in their original multi-container package;
- x. Public telephones located in front of the premises shall be for outgoing calls only;
- y. The conditions of this grant shall be retained on the premises at all times and be immediately produced upon request of any County Sheriff, Zoning Enforcement Inspector or ABC investigator. The market manager and all employees of the market shall be knowledgeable of the conditions herein;
- z. A minimum of nine (9) off-street parking spaces, including one space reserved for the handicapped, shall be provided on site.

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**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
LOCAL PLAN AMENDMENT NO. 200900011**

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65350) provides for the adoption of amendments to county general plans; and

WHEREAS, the applicant, BP West Coast Products, LLC, has requested an amendment to the East Los Angeles Community Plan; and

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted concurrent public hearings regarding Plan Amendment No. 200900011, Zone Change No. 200800009, and Conditional Use Permit No. 200800181 on May 5, 2010; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of land use designation from MD (Medium Density Residential) to MC (Major Commercial) on 0.45 gross acres within the East Los Angeles Community Plan.
2. The subject property consists of approximately 0.45 gross acres, located at 3949 Dennison Street in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
3. The Plan Amendment request was heard concurrently with Conditional Use Permit No. 200800181 and Zone Change No. 200800009 at the May 5, 2010 public hearing.
4. Conditional Use Permit No. 200800181 is a related request to authorize the construction, operation and maintenance of a new 2,120 square-foot convenience store with the sale of beer and wine for off-site consumption.
5. Zone Change No. 200800009 is a related request to authorize the change in the zoning of the subject property from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business – Development Program).
6. The 200800181 conditional use permit site plan, labeled Exhibit "A", depicts the 2,120 square-foot convenience store and service station, which includes two (2) gasoline pump canopies of 650 and 1,378 square feet, respectively. One contiguous parking area with a total of nine (9) parking spaces is shown. Access to the site is shown from Dennison Street to the south and from Ditman Avenue to the east. An entrance/exit ramp from the Santa Ana (5) Freeway connects to the southern end Dennison/Ditman intersection, which is located adjacent to the

subject property.

7. The subject property is currently zoned R-3 (Limited Multiple Residence). The subject property is developed with a service station.
8. Modified conditions warrant a revision in the land use designation of the subject property to foster implementation of planning goals and policies listed in the East Los Angeles Community Plan. One of the Plan's Physical Environment Goals is to encourage high standards of development and improve the aesthetic qualities of the community. Plan Policies include maintaining consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards, maintaining and enhancing the quality of healthy and stable residential neighborhoods, and encouraging the renovation of buildings to meet present seismic safety standards.
9. A need exists for the proposed change from Medium Density Residential to Major Commercial to achieve greater consistency between land use classification and actual land use patterns in the East Los Angeles community. The expansion and renovation of the pre-existing business requires that the land use classification be changed.
10. The subject property is a proper location for the proposed Major Commercial designation and placement of the proposed designation at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The subject property is located immediately adjacent to a similar use within the Major Commercial land use classification and is also adjacent to a freeway entrance and exit, where auto-oriented services are needed.
11. The proposed plan amendment is consistent with the goals and objectives of the East Los Angeles Community Plan.
12. An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study determined that a Negative Declaration would be required. The initial study showed that the design of the project would mitigate the environmental impact of the project to a level of no significance.
13. The Commission approves the Negative Declaration prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the Negative Declaration has been completed in compliance with CEQA, the CEQA

Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission.

THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of land use classification of the subject property within the East Los Angeles Community Plan from MD (Medium Density Residential) to MC (Major Commercial) with development restrictions as provided by the related Conditional Use Permit No. 200800181; and
2. That the Board of Supervisors certify completion of and approve the attached Negative Declaration; and
3. That the Board of Supervisors find that there is a need for the proposed Local Plan Amendment; and
4. That the Board of Supervisors find that the particular amendment proposed is appropriate and proper; and
5. That the Board of Supervisors find that modified conditions warrant a revision to the County of Los Angeles East Los Angeles Community Plan; and
6. That the Board of Supervisors find that approval of the proposed Local Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practice; and
7. That the Board of Supervisors adopt the above recommended Plan Amendment.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on May 5, 2010.

Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
ZONE CHANGE CASE NO. 200800009**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted public hearings in the matter of Zone Change Case No. 200800009 on May 5, 2010; and,

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of zone from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business – Development Program) on 0.45 gross acres.
2. The subject property consists of approximately 0.45 gross acres, located at 3949 Dennison Street in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
3. The Zone Change request was heard concurrently with Conditional Use Permit No. 200800181 and Local Plan Amendment No. 200800011 at the May 5, 2010 public hearing.
4. Conditional Use Permit No. 200800181 is a related request to authorize the construction, operation and maintenance of a new 2,120 square-foot convenience store with the sale of beer and wine for off-site consumption.
5. Local Plan Amendment No. 200800011 is a related request to authorize the change in the land use designation from Medium Density Residential to Major Commercial within the East Los Angeles Community Plan.
6. The 200800181 conditional use permit site plan, labeled Exhibit "A", depicts the 2,120 square-foot convenience store and service station, which includes two (2) gasoline pump canopies of 650 and 1,378 square feet, respectively. One contiguous parking area with a total of nine (9) parking spaces is shown. Access to the site is shown from Dennison Street to the south and from Ditman Avenue to the east. An entrance/exit ramp from the Santa Ana (5) Freeway connects to the southern end Dennison/Ditman intersection, which is located adjacent to the subject property.
7. The subject property is currently zoned R-3 (Limited Multiple Residence). The subject property is developed with a service station.
8. Modified conditions warrant a revision in the zoning of the subject property to foster implementation of planning goals and policies listed in the East Los Angeles Community Plan. One of the Plan's Physical Environment Goals is to

encourage high standards of development and improve the aesthetic qualities of the community. Plan Policies include maintaining consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards, maintaining and enhancing the quality of healthy and stable residential neighborhoods, and encouraging the renovation of buildings to meet present seismic safety standards.

9. A need exists for the proposed Zone Change from R-3 to C-1-DP to achieve greater consistency between zoning and actual land use patterns in the East Los Angeles community. The expansion and renovation of the pre-existing business requires that the zoning be changed.
10. The subject property is a proper location for the proposed C-1-DP zoning classification and placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The subject property is located immediately adjacent to a similar use within the C-1-DP zone and is also adjacent to a freeway entrance and exit, where auto-oriented services are needed.
11. The proposed Zone Change from R-3 to C-1-DP is consistent with the goals and objectives of the East Los Angeles Community Plan.
12. An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study determined that a Negative Declaration would be required. The initial study showed that the design of the project would mitigate the environmental impact of the project to a level of no significance.
13. The Commission adopts the Negative Declaration prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the Negative Declaration has been completed in compliance with CEQA, the CEQA Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission.

THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

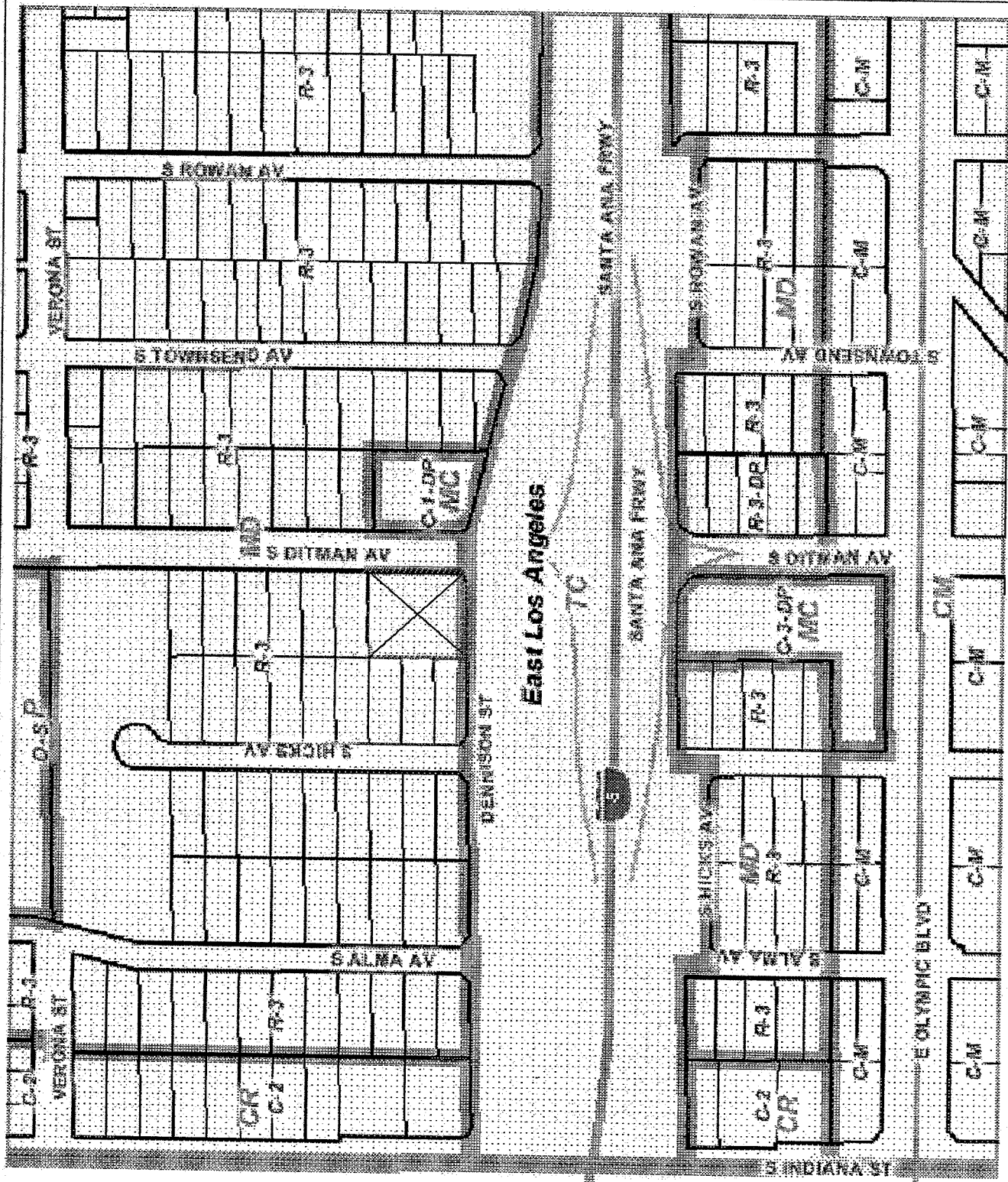
1. That the Board of Supervisors hold a public hearing to consider the recommended change of zone from R-3 to C-1-DP with development restrictions

as provided by the related Conditional Use Permit No. 200800181; and

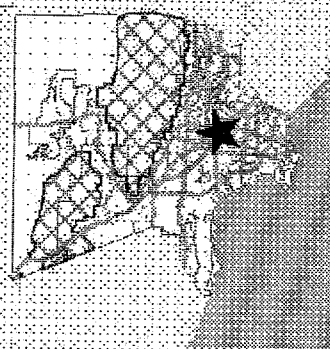
2. That the Board of Supervisors certify completion of and approve the attached Negative Declaration; and
3. That the Board of Supervisors find the recommended zoning is consistent with the Los Angeles County General Plan;
4. That the Board of Supervisors find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone; and
5. That the Board of Supervisors adopt the above recommended change of zone.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on May 5, 2010.

Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles



Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend tab" on the top left side of screen.

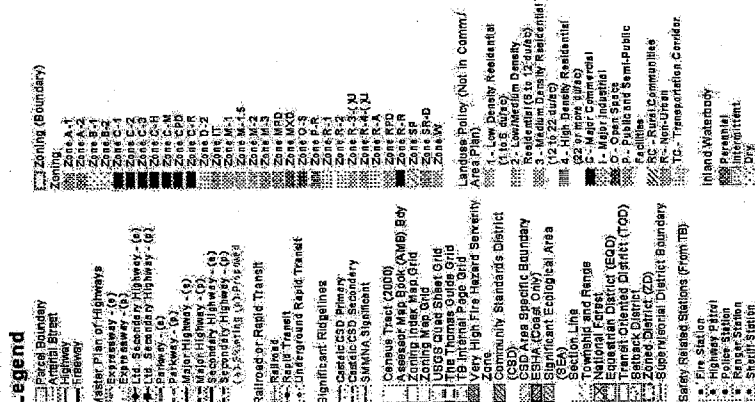


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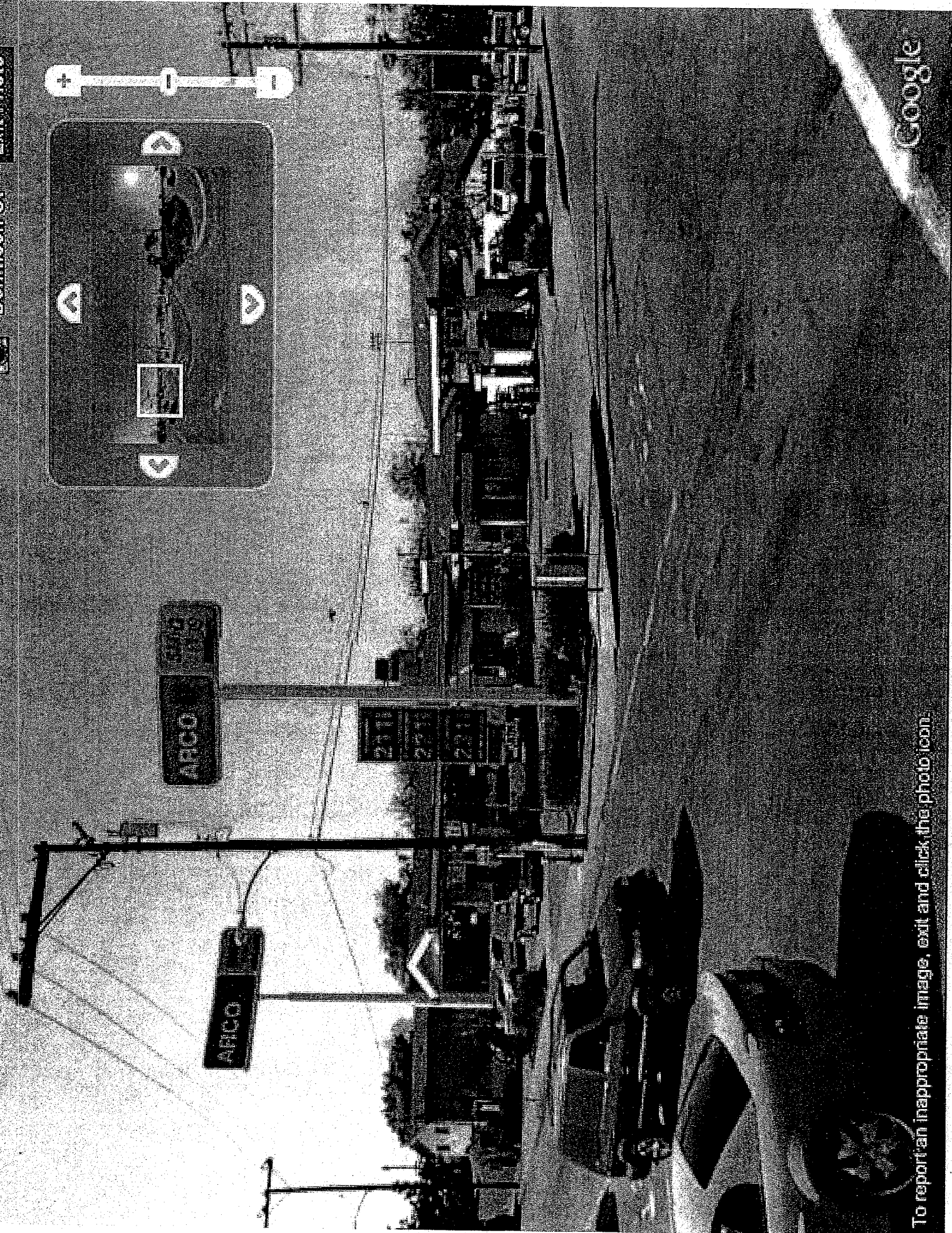
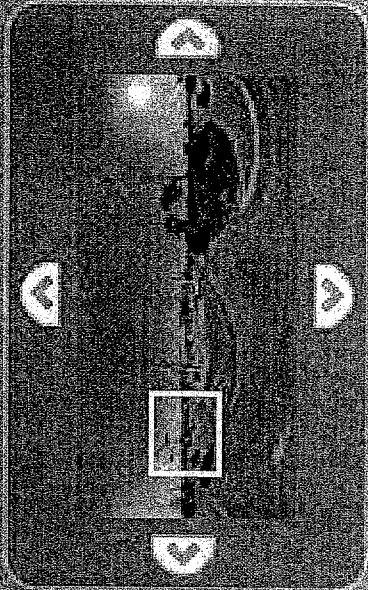
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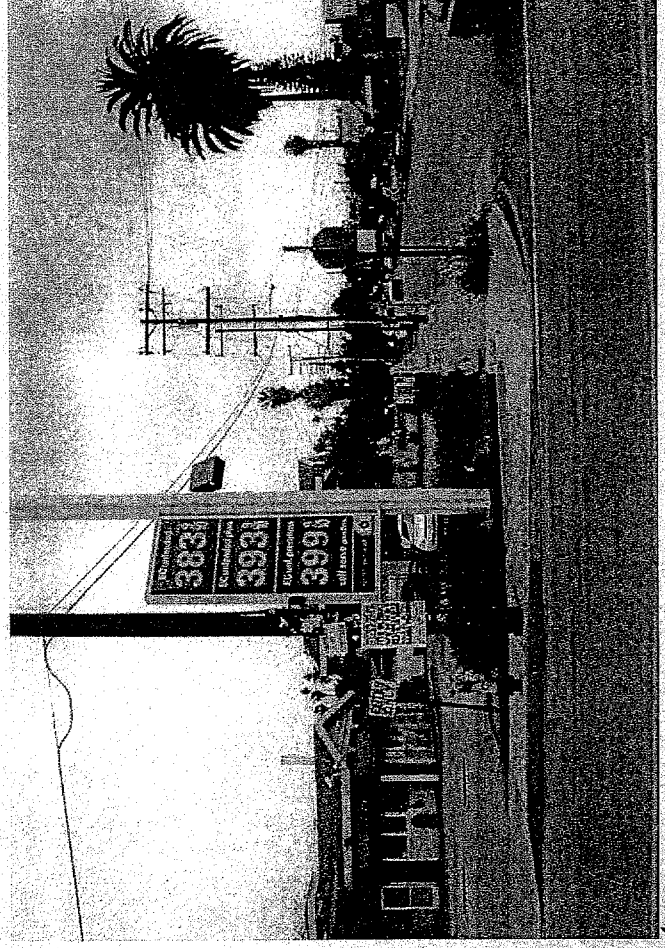
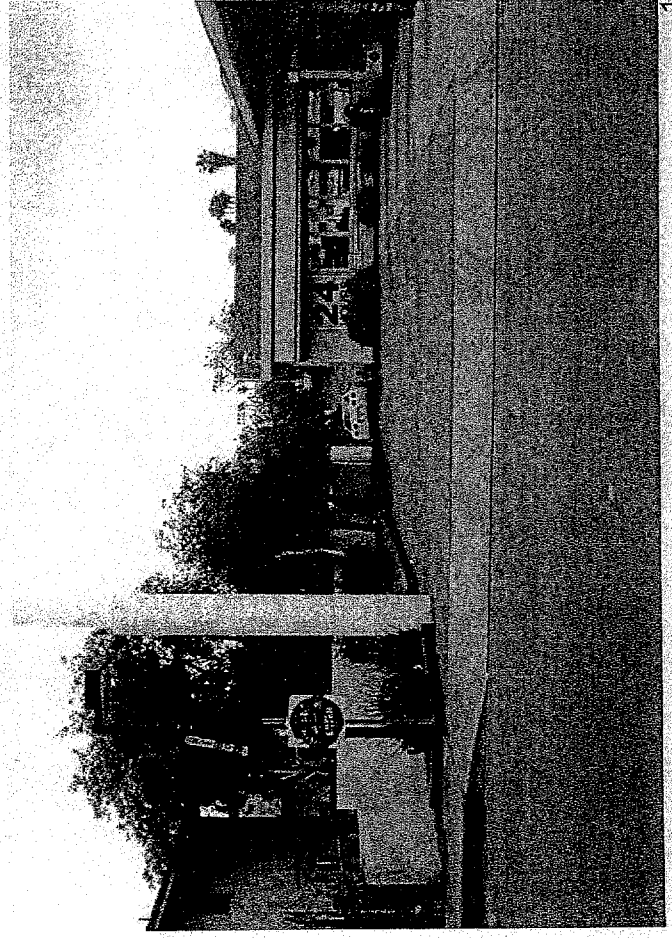
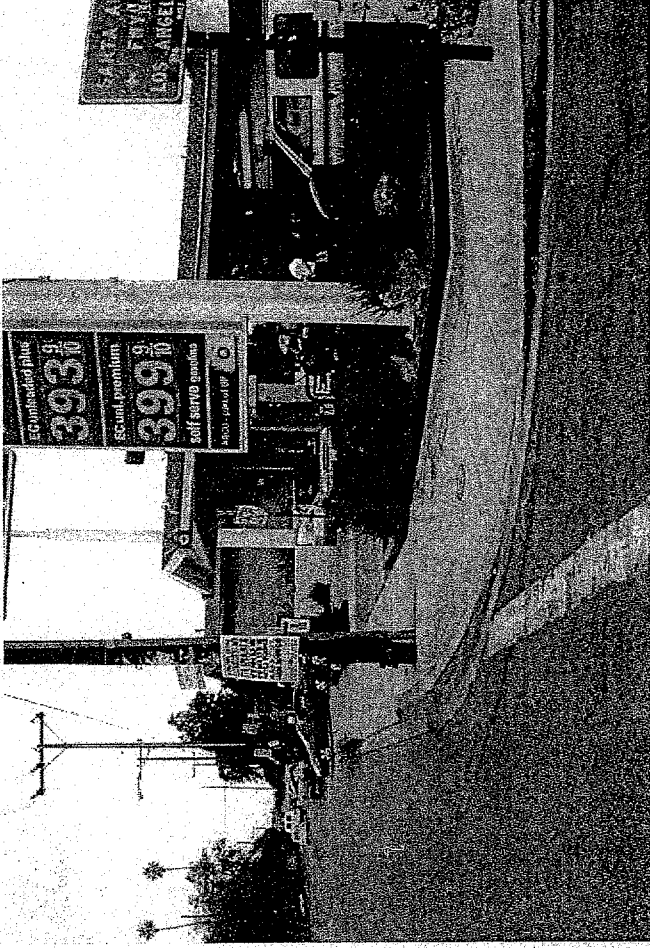
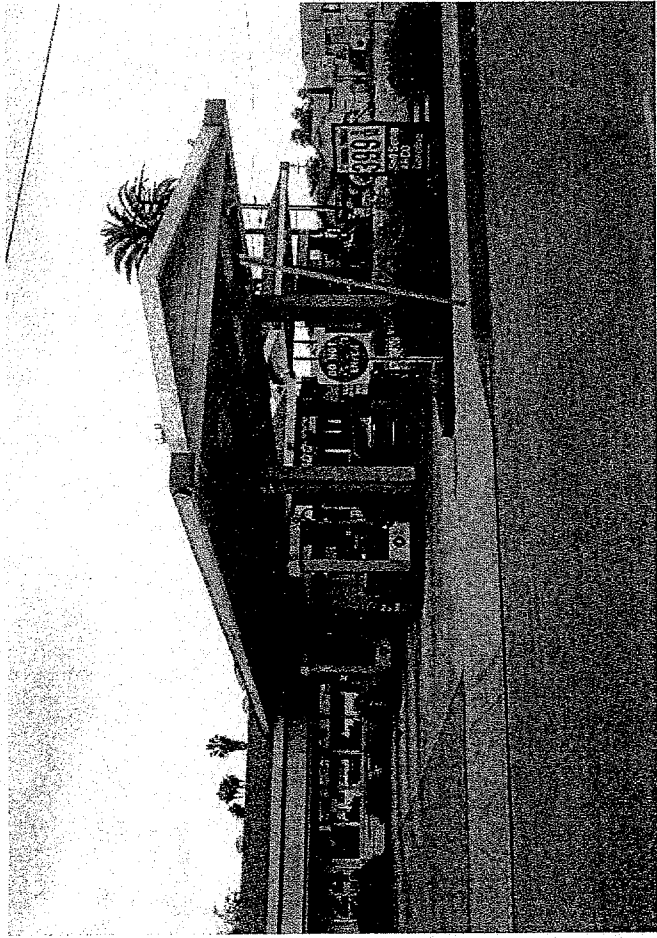
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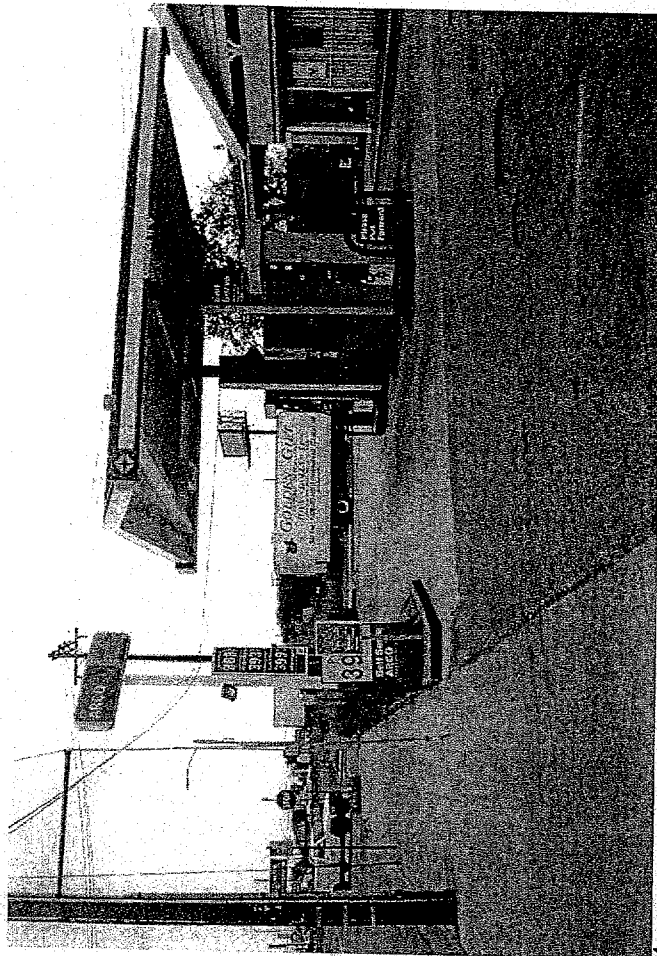
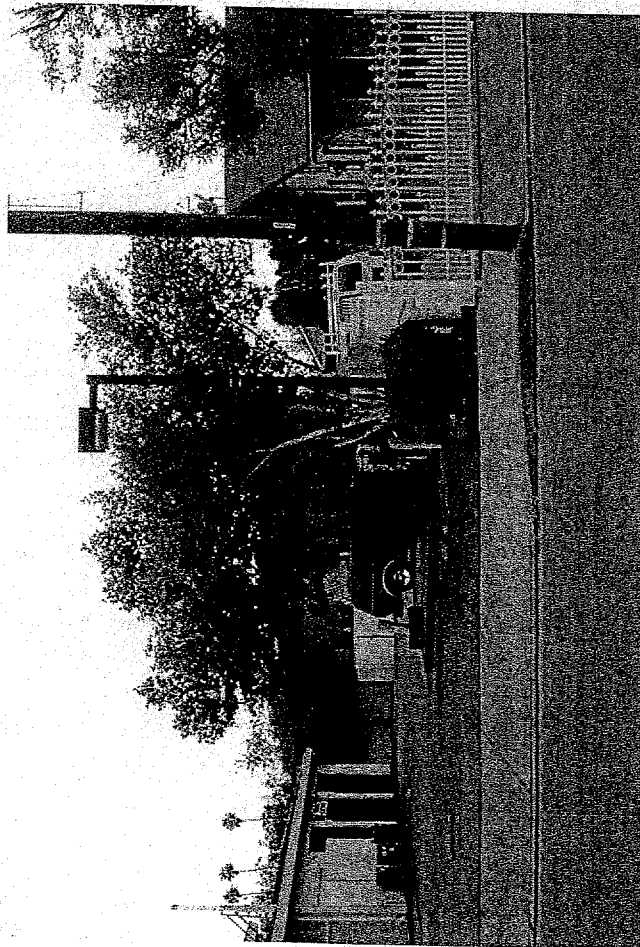
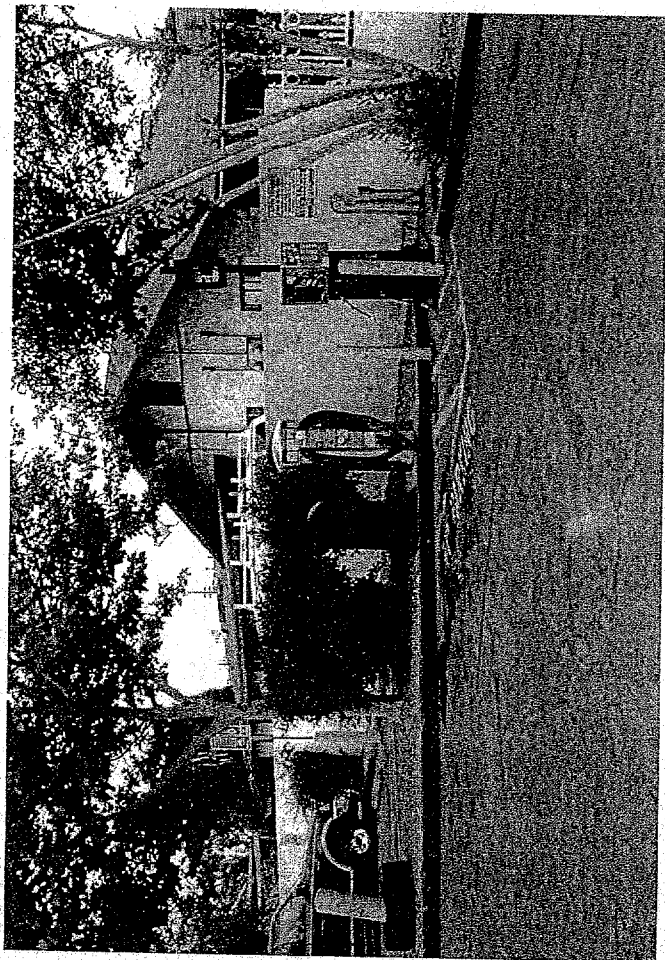
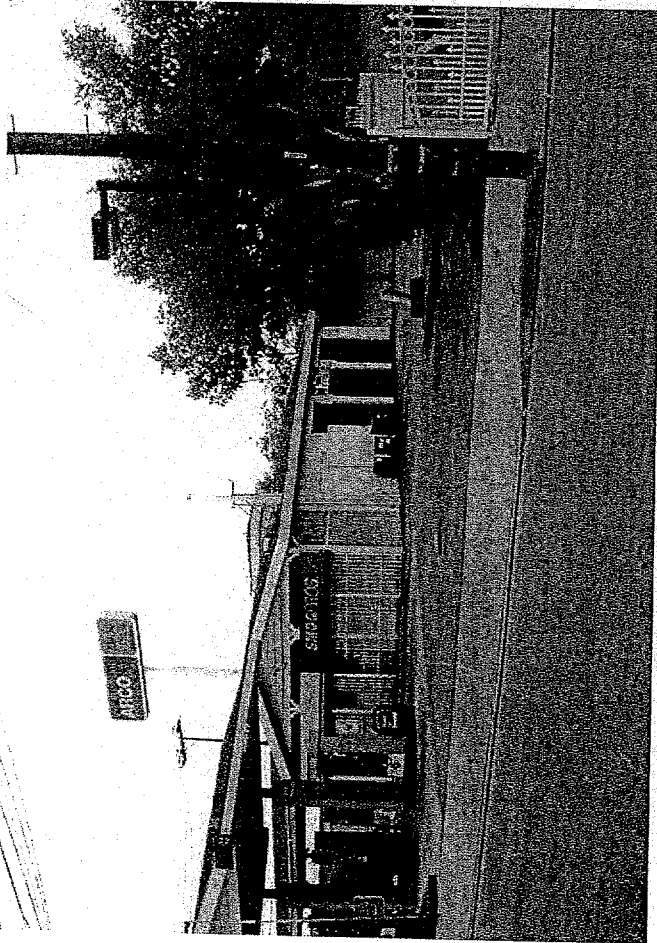
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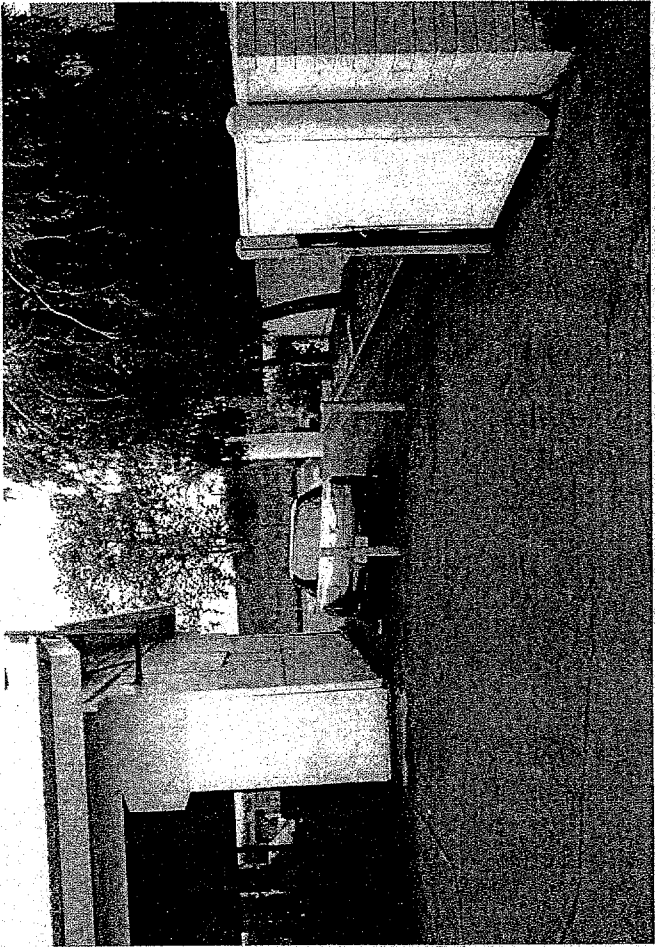
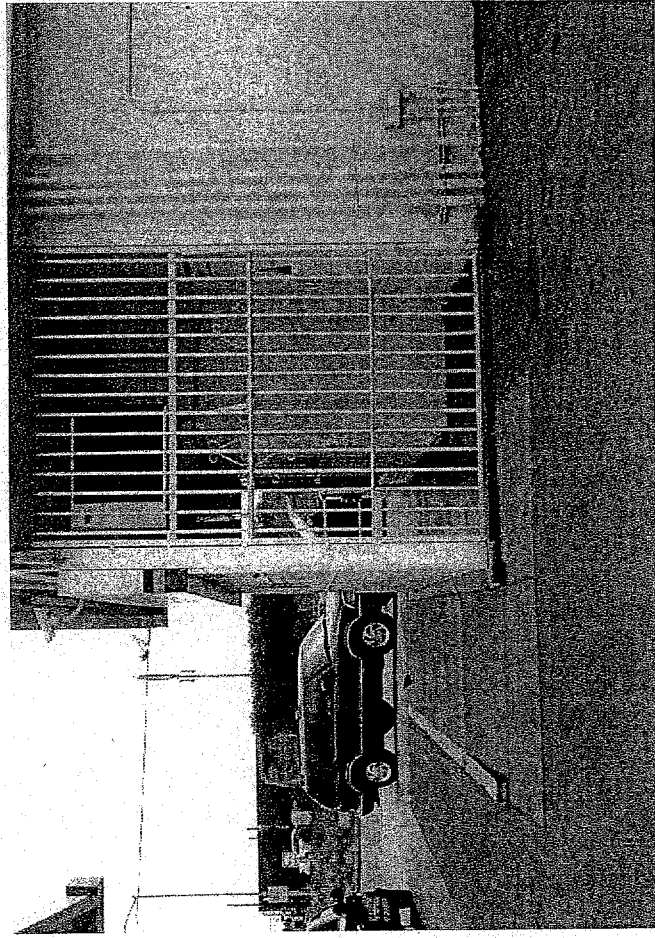
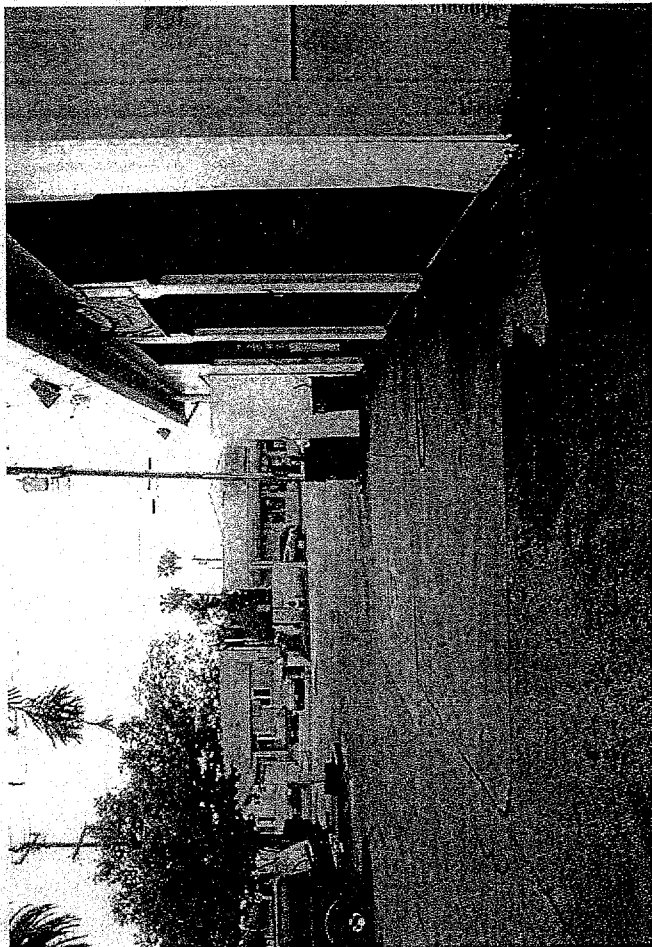
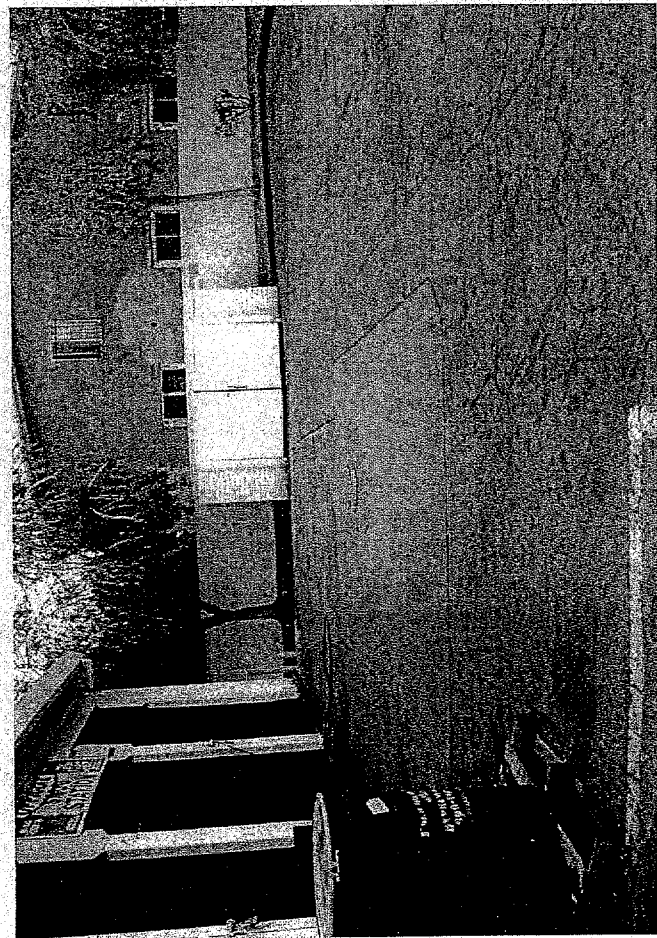
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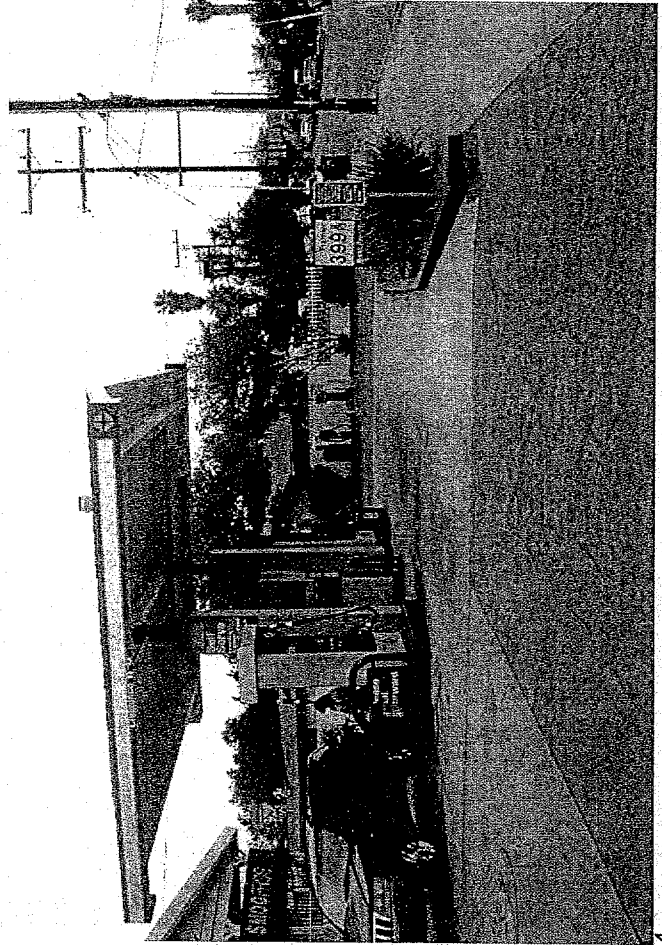
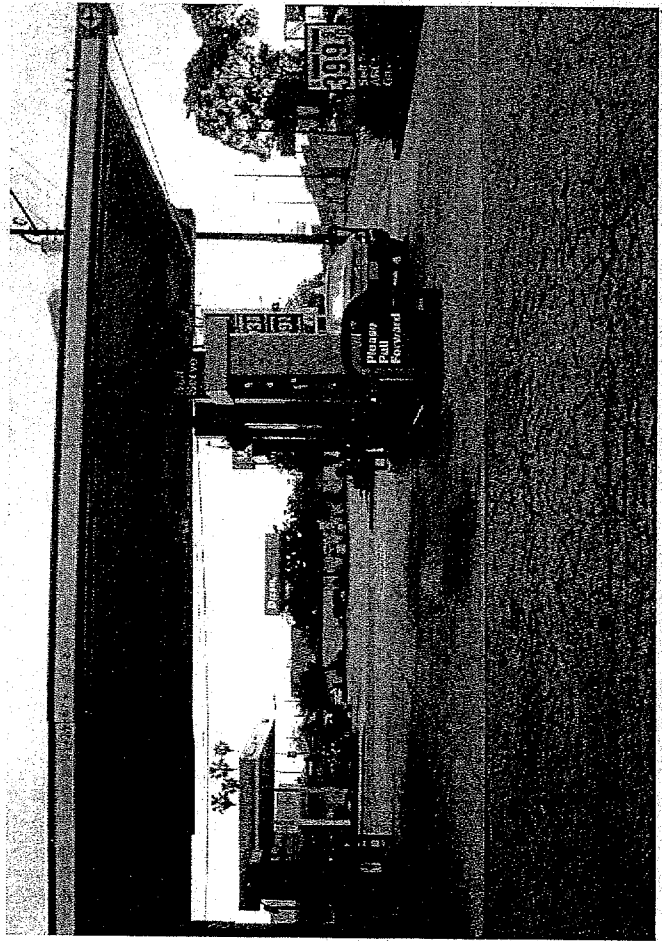
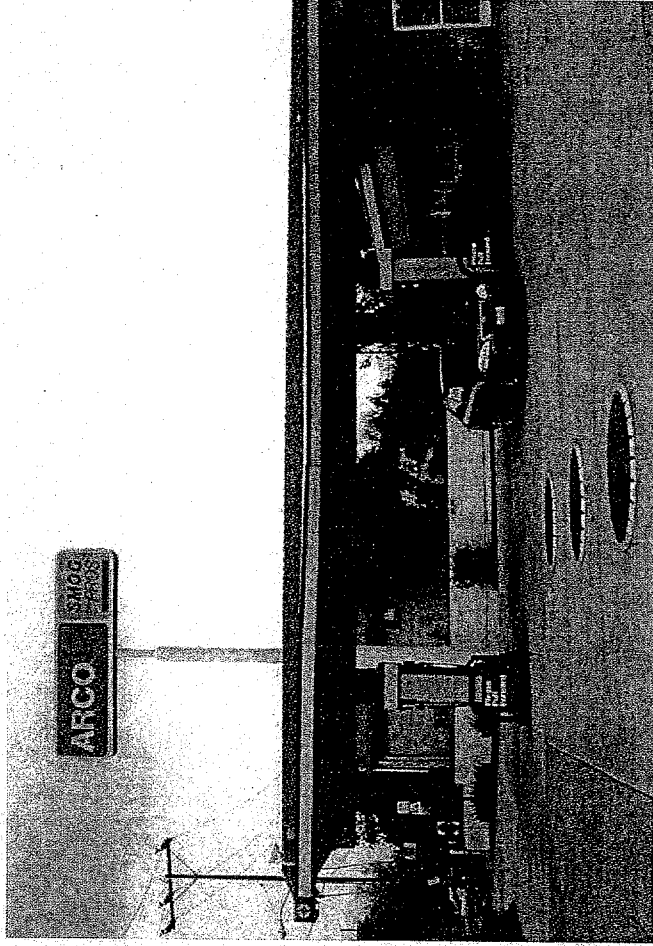
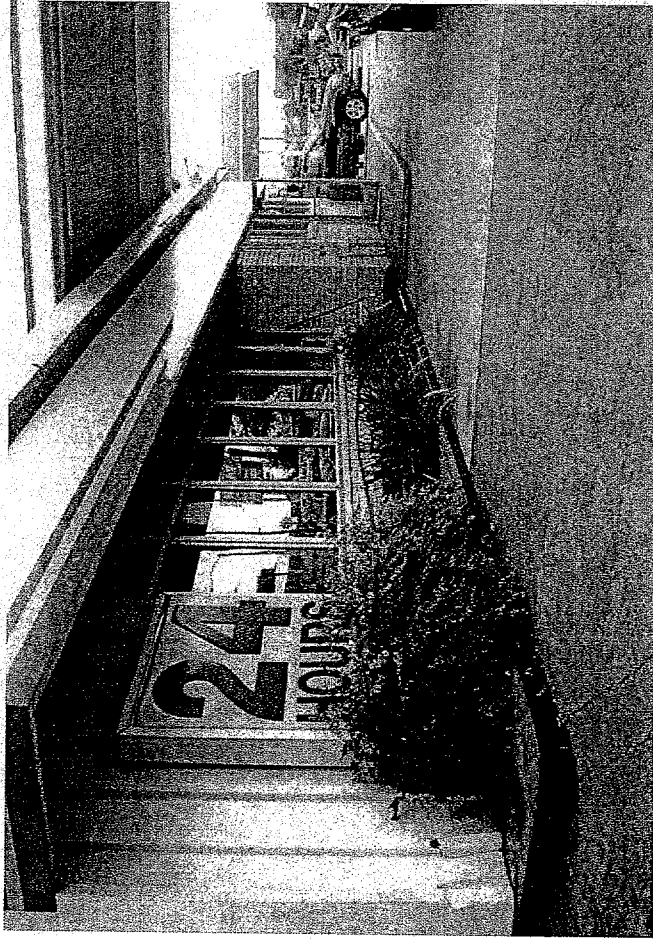
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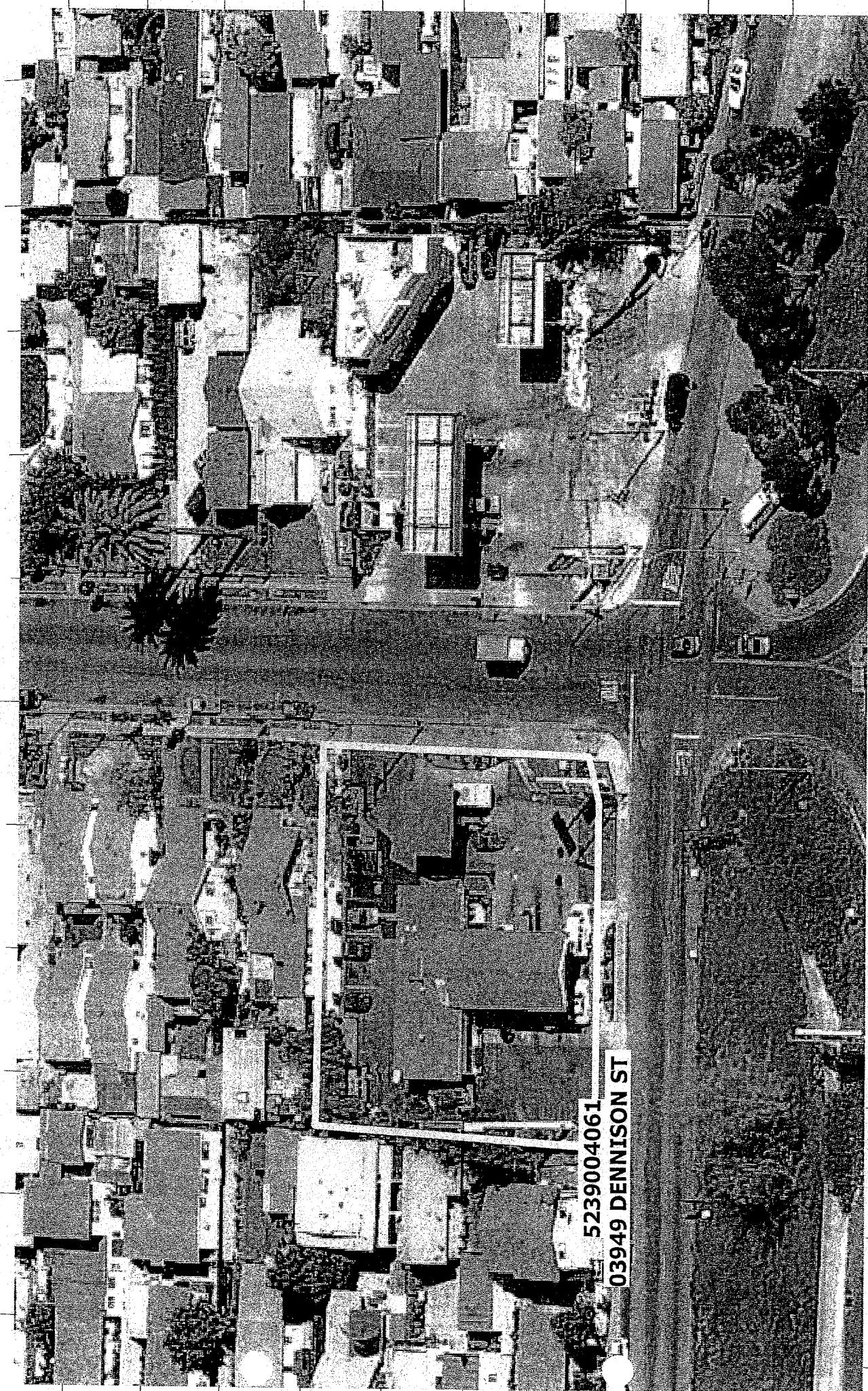
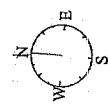


ARCO Facility 6178, 3949 E. Dennison Ave.



ARCO Facility 6178, 3949 E. Dennison Ave.





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Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

April 29, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Tyler Montgomery *TM*
Regional Planning Assistant II
Zoning Permits II Section

SUBJECT: PROJECT NO. R2008-02217-(1)
LOCAL PLAN AMENDMENT NO. 200800011
ZONE CHANGE NO. 200800009
CONDITIONAL USE PERMIT NO. 200800181
ENVIRONMENTAL ASSESSMENT NO. 200900025
May 5, 2010 Public Hearing
Agenda Item No. 8

Staff would like to make a correction to the staff report distributed on April 22, 2010. The sixth paragraph of the "Staff Evaluation" section of the report (Page 12 of 13) contains the following sentence: "There are no sensitive uses within 600 feet of the project site." This is incorrect, as one sensitive use, Ruben Salazar Park, is located approximately 350 feet to the northwest of the proposed facility.

Staff's recommendation of approval for the project remains unchanged.

04/29/10
MM:TM



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

June 3, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Tyler Montgomery *TM*
Regional Planning Assistant II
Zoning Permits II Section

SUBJECT: **PROJECT NO. R2008-02217-(1)**
LOCAL PLAN AMENDMENT NO. 200800011
ZONE CHANGE NO. 200800009
CONDITIONAL USE PERMIT NO. 200800181
ENVIRONMENTAL ASSESSMENT NO. 200900025
June 16, 2010 Public Hearing
Agenda Item No. 7

This item was continued from the previous public hearing of May 5, 2010, at which Commissioners Rew, Valadez, Bellamy, and Helsley were present. The continuation was granted in order for the applicant to explore a redesign of the project site and for Regional Planning staff to determine the necessary steps for the applicant to seek relief from the applicable sign standards in the East Los Angeles Community Standards District (CSD) in order to develop the project as proposed.

At the May 5, 2010 public hearing, the Commission requested that the applicant explore redesigning the site layout so that it incorporated a five-foot-wide landscaped buffer along the entire length of its northern and western boundaries, as required by the East Los Angeles Community Standards District (CSD). The Commission also requested that the trash enclosure be relocated from the northern edge of the property, which borders single-family residences, to the western edge of the property. Finally, the Commission requested that the applicant consider rotating the convenience store 90 degrees and moving it from the western portion to the northern portion of the property in order to better facilitate the movement of the trash enclosure.

An updated site plan has been submitted by the applicant's representatives. It depicts the trash enclosure at the western edge of the property and a five-foot-wide landscaped buffer that runs the length of its northern and western boundaries, although there is a 14-foot discontinuance wherein the trash enclosure has been located. The applicant has stated that, due to circulation issues, it is not feasible to relocate the convenience store building to the northern portion of the property.

PROJECT NO. R2008-02217-(1)
LOCAL PLAN AMENDMENT 200800011;
ZONE CHANGE 200800009; CONDITIONAL USE PERMIT 200800181

RPC UPDATE MEMO
JUNE 3, 2010
PAGE 2 OF 2

To clarify the applicant's request related to project signage, the applicant is requesting to deviate from applicable sign standards in the CSD. In addition to the approximately 115-square-foot fuel pricing sign allowed pursuant to Section 22.52.970.D of the Zoning Ordinance, the proposed project would include business identification signage exceeding the maximum height and signage area allowed pursuant to the CSD. The project includes an existing pole sign that exceeds the maximum height of structures allowed in the CSD by approximately 15 feet. The CSD limits the maximum height of structures to 40 feet in height, and the existing pole sign is approximately 55 feet in height. The proposed business identification signs total approximately 502.3 square feet, which includes approximately 127.3 square feet of signage to be mounted on the building façade as well as approximately 375 square feet of sign face on the existing pole sign. This 502.3 square feet of sign area exceeds the 114 square feet of sign area that would be permitted under the CSD. As part of the CUP application, therefore, the applicant is requesting approval of the additional height for the pole sign as well as the additional sign face area.

Based on the revised site plan provided, staff continues to recommend approval of the proposed project. Staff is providing revised findings and conditions of approval for the project reflecting the changes to the site plan as necessary and clarifying the deviations from the applicable sign standards under the CSD.

Enclosures:

Revised Draft CUP Findings
Revised Draft CUP Conditions
Updated site plan

06/03/10

MM:TM

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

**PROJECT NUMBER R2008-02217-(1)
CONDITIONAL USE PERMIT NUMBER 200800181**

REGIONAL PLANNING COMMISSION HEARING DATE: MAY 5, 2010

SYNOPSIS:

Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD).

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

Findings

1. Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD).
2. The granting of this conditional use permit is contingent upon the approval of Local Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors.
3. The subject property is located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
4. The site is approximately one-half acre and developed with an existing ARCO service station. The property is level and paved, except for 540 square feet of landscaping. It is located at the northwest corner of Dennison Street and South Ditman Avenue in East Los Angeles, and an on/off ramp for the northbound Santa Ana Freeway (Interstate 5) connects to this intersection from the south. The subject property is accessed via four (4) driveways: two (2) from Ditman Avenue to the east and two (2) from Dennison Street to the south.
5. The subject property is proposed to be zoned C-1-DP (Restricted Business;

Development Program).

6. Surrounding properties within the 500-foot radius of the project are zoned as follows:
 - North: R-3 (Limited Multiple Residence)
 - South: Santa Ana (5) Freeway
 - East: C-1-DP (Restricted Business; Development Program)
 - West: R-3 (Limited Multiple Residence)
7. Land uses within 500 feet of the subject property consist of the following:
 - North: Single-family and multiple-family residences
 - South: Santa Ana (5) Freeway
 - East: Service station and convenience store
 - West: Single-family and multiple-family residences
8. Zone Exception Case No. 9050 authorized the establishment of a service station at the subject property. The permit was approved in 1970, and the use amortized in 1991. Nonconforming Review No. 92-255 allowed the continued operation of the service station. The permit was approved in 1993 and expired in 2008.
9. The subject property is proposed to be designated as Major Commercial within the East Los Angeles Community Plan. The purpose of this land use classification is to provide for a variety of both large and small businesses. The establishment of a service station and convenience store is consistent with this designation.
10. The applicant proposes to demolish an existing 1,625 square-foot convenience store and auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the half-acre property. The new building would have a maximum height of 20 feet. The project would add 1,569 square feet of landscaping, for a total of 2,109 square feet, and nine (9) on-site parking spaces would be provided, one of which would be reserved for the handicapped. Two (2) gas pump canopies of 650 square feet and 1,378 square feet, respectively, with a total of six (6) gas pumps would remain, although they would be refurbished. The property is level and paved, with two driveways accessing Dennison Street to the south and two driveways accessing Ditman Avenue to the east. A new 25-foot-high monument sign is proposed for the southeastern corner of the property, and an existing 55-foot-high pole sign is proposed to remain. A trash enclosure would be located on the southwestern portion of the property.
11. Pursuant to Section 22.28.100 of the Los Angeles County Planning and Zoning Code (Title 22), premises in zone C-1 may be used for the sale of alcoholic beverages, for either on-site or off-site consumption, provided a conditional use permit has first been obtained and conforms to the conditions of said permit. A conditional use permit is also necessary for the establishment of a new use at the property, due to the -DP zoning overlay.

12. Less than 90 percent (2,120 sq. ft., or 11 percent) of the applicant's site plan is occupied by the proposed convenience store. This adheres to the development standards for the C-1 zone. Exactly 10 percent of the lot area (1,945 sq. ft.) is proposed to be landscaped, which also conforms to the C-1 development standards.
13. Per Section 22.52.1110 of the County Code, every structure used for amusement, assembly, drinking, eating or entertainment shall provide one or more automobile parking spaces for each three persons based on the occupant load as determined by the county engineer. All other uses other than business or professional offices shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used. The subject market has a floor area of 2,120 square feet and thus would require eight (8) parking spaces. Nine (9) parking spaces would be provided, one of which would be reserved for the handicapped.
14. The East Los Angeles CSD requires a five-foot-wide landscaped buffer along the northern and western property lines. This is not provided for approximately 14 feet along the western boundary, where the trash enclosure would be located. A five-foot buffer would not be practical for this area, as the additional space in front of the enclosure is required to maintain traffic circulation throughout the site.
15. Under the requirements of the East Los Angeles CSD, the 2,109 square feet of landscaping proposed for the project site would require the installation of 42 trees. Because adequate spaces for trees on the site are limited, a minimum of 10 trees will be planted within the proposed landscaping.
16. The requirements of the CSD would normally allow a total sign area of 114 square feet for the proposed project. The project would deviate from CSD standards by maintaining approximately 502.3 square feet of signage. The gasoline pricing monument sign is not included in this calculation, per Section 22.52.970(D) of the County Code.
17. The project would deviate from CSD height standards, as the existing pole sign would exceed the 40-foot height limit by 15 feet.
18. The Commission finds that the above requested deviations from the CSD are necessary, as it would be impractical to compel the removal of the pre-existing pole sign, for which the deviations are required.
19. Staff has determined that a Negative Declaration is the appropriate environmental document under California Environmental Quality Act (CEQA) reporting requirements. The project design and/or imposed conditions would mitigate the project's environmental impact to a level of no significance.
20. Statistical data from the California Department of Alcoholic Beverage Control (ABC)

report that the site of the subject request is located within a high crime reporting district and is within a census tract with an over-concentration of alcohol sales.

21. The East Los Angeles Station of the Los Angeles County Sheriff's Department was consulted regarding the project. No comments were provided.
22. As per the requirements of the Los Angeles County Code, the public hearing was adequately noticed through mailings, newspapers advertisement, and on-site posting. Case-related materials were also posted at the local library and on the Regional Planning web page. No comments were received from the public regarding the project proposal.
17. There is one sensitive use within 600 feet of the project site—Ruben Salazar Park. The impact of the project would be mitigated by the fact that the applicant has agreed to purchase an existing liquor license within the East Los Angeles area. Therefore, no new licenses would be added.
18. The granting of this conditional use permit to sell beer and wine for off-site consumption at a new convenience store would serve as a public convenience, as there are no other markets selling beer and wine within the immediate area.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area; and
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare; and
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features; and
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required; and
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and

- F. The requested use at the proposed location result in an undue concentration of similar premises; however, the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, and the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

1. The Commission adopts the Negative Declaration associated with Environmental Assessment No. 200900025.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200800181 is **APPROVED** subject to the attached conditions.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

1. c: Each Commissioner, Zoning Enforcement, Building and Safety.

MM:TM
06/03/10

1. This grant authorizes the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption within the C-1-DP (Restricted Business; Development Program) zone, and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD), as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose and cannot be used until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and until all required fees have been paid pursuant to Condition Nos. 10 and 11. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 4 [indemnification], 5 [litigation deposit], and 6 [expiration date] shall be effective immediately upon final approval of this grant by the County.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents

will be paid by the permittee in accordance with to Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with payment of the applicable fee, at least six months before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. **This grant shall terminate on June 16, 2020.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the sale of beer and wine after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the expiration of this permit, whether or not any modification of the use is requested at that time. The expiration of this grant shall not apply to the continued use of the service station and/or convenience store without any beer or wine sales.
10. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees (**currently \$2,085.25**) payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code and to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code.
11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. **The permittee shall deposit with the County of Los Angeles the sum of \$1,000.00.** These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. These funds provide for **five (5) biennial** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall

reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost, whichever is greater.

12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Public Health.
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. Within thirty (30) days of the approval of this grant, any illegal signage shall be removed from the subject property. Any new or additional signage shall be in compliance with Part 10, Title 22 of Los Angeles County Code.
16. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
17. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent plans are submitted, the written authorization of the property owner is necessary.
18. The grant shall not be valid without the subsequent approval of Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors. Both cases were heard by the Regional Planning Commission concurrently with this grant and were recommended for approval to the Board of Supervisors.

19. The maximum height of the pole sign on the southwestern corner of the property shall be 55 feet, and the maximum area of all sign faces thereon shall be 375 square feet. The maximum height of all other structures shall be 40 feet.
20. The maximum sign area for the facility shall be 502.3 square feet. This does not include the gasoline pricing monument sign, the maximum sign area of which shall be 120 square feet.
21. A minimum of 2,109 square feet of landscaping shall be maintained on the project site. Within 30 days of final approval of this grant, the permittee shall submit a landscaping plan containing no fewer than 10 trees to the Director of Planning for review and approval. Landscaping shall comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list of the Department of Regional Planning. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. Throughout the term of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary.
22. All construction machinery shall be with suitable exhaust and air-intake silencers/mufflers, idling shall be minimized, and machinery shall be turned off when not in use and placed as far as possible from nearby residences. Construction activity shall be prohibited between 7 p.m. and 7 a.m., and all day on Sundays and legal holidays. Noise from compressors, air conditioners, and/or refrigeration units shall be limited to 55 dBA at the adjacent residential property lines. Such equipment shall also be shielded by an acoustical barrier or structure to cover the line of sight from adjacent residential units.
23. Before a building or grading permit is issued, the project will be required to obtain an approved NPDES permit from the Los Angeles County Department of Public Works. All development and redevelopment projects which fall into one of the Standard Urban Stormwater Mitigation Plan (SUSMP) project types must obtain SUSMP approval by the appropriate agency
24. The permittee shall suspend construction in the vicinity of a cultural or paleontological resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist or paleontologist can examine them and determine appropriate mitigation measures.
25. The project will comply with SCQAMD Rule 403—Fugitive Dust control measures. The project will incorporate all right-of-way improvements required by the Department of Public Works. The project shall comply with all EVR Phase II vapor recovery

standards.

26. Before the issuance of building permits, the project will be required to obtain approval from the Department of Public Works regarding right-of-way improvements. Existing driveway aprons and curb ramps along the project site frontage shall be reconstructed to ADA standards.
27. Should any future operation within the project site include the construction, modification, removal, or excavation of underground storage tanks, industrial waste treatment or disposal facilities, and/or stormwater treatment facilities, Public Works' Environmental Programs Division shall be contacted for required approvals and operating permits.
28. Prior to the demolition of the existing building, a statistically valid number of soil samples and accompanying analysis shall be obtained from the project site and submitted to the Los Angeles County Fire Department Health Hazardous Materials Division, to the satisfaction of said division.
29. This grant allows for the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption, located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District of Los Angeles County, subject to the following conditions:
 - a. The sale of beer and wine for off-site consumption shall be permitted only between the hours of 10:00 am – midnight, Sunday through Thursday, and between the hours of 10:00 am – 1:00 am Friday and Saturday;
 - b. No beer or wine shall be displayed within five feet of the cash register or the front door;
 - c. No sale of alcoholic beverages shall be made from a drive-in window;
 - d. No display or sale of beer or wine shall be made from an ice tub;
 - e. No self-illuminating advertising for beer or wine shall be located on buildings or windows;
 - f. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area;
 - g. The permittee shall not advertise alcoholic beverages on the exterior walls or windows of the subject market or at any exterior location on the subject property;
 - h. The permittee shall post the following signs on the premises (in English and Spanish) to the satisfaction of the Director of Planning:

- i. Prohibiting the consumption of alcoholic beverages on site and prohibiting loitering;
- ii. Notifying patrons that it is a violation of the California State Vehicle Code to transport open containers of alcoholic beverages within the passenger compartment of a motor vehicle;
- iii. Stating that the cash register contains \$100.00 or less in cash and that the drop safe is not accessible to employees, and;
- i. The permittee shall not sell beer in individual containers of less than 48 ounces or multiple containers in less than six-pack quantities;
- j. The permittee shall not sell wine, with the exception of wine coolers, in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
- k. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises;
- l. The permittee shall maintain a video camera mounted inside the premises in such a position as to be visible to patrons yet not accessible by reach;
- m. The permittee shall instruct all employees in the regulations regarding no loitering and no consumption of beer and wine on site. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
- n. All sellers of alcoholic beverages must be at least 18 years old. Between the hours of 10:00 pm and 1:00 am, all sellers of alcoholic beverages must be at least 21 years old. The licensee (or designated representative thereof), all managers, and employees of the establishment 18 years of age or older shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the California Department of Alcoholic Beverage Control, or an equivalent program as determined by the Director of Planning. This training shall be ongoing and all new employees shall be required to attend. The licensee shall display a certificate or plaque in a public area of the establishment indicating they have participated in this program;
- o. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control;

- p. The permittee shall place at least one 13-gallon trash receptacle inside the business and one 32-gallon trash receptacle outside the business for use by customers;
- q. Outside storage is expressly prohibited;
- r. Off-site signs are prohibited;
- s. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles is prohibited;
- t. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage
- u. The licensed premises shall have no other coin operated amusements at any time, other than official State Lottery machines;
- v. No ice in quantities of less than two pounds shall be sold, furnished, or given away;
- w. There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages sold, furnished, or given away in quantities of less than 24 in their original multi-container package;
- x. Public telephones located in front of the premises shall be for outgoing calls only;
- y. The conditions of this grant shall be retained on the premises at all times and be immediately produced upon request of any County Sheriff, Zoning Enforcement Inspector or ABC investigator. The market manager and all employees of the market shall be knowledgeable of the conditions herein;
- z. A minimum of nine (9) off-street parking spaces, including one space reserved for the handicapped, shall be provided on site.



Los Angeles County
Department of Regional Planning
Planning for the Challenges Ahead



GENERAL PLAN AMENDMENT BURDEN OF PROOF

The applicant for a General Plan Amendment Application shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. A need for the proposed General Plan exists because:

The proposed project request use for the operation of a gas station with convenience store, a use not permitted in the medium density residential designation for this site.

B. The particular amendment proposed is appropriate and proper because:

The site currently operates as a gasoline service station. A plan amendment will correct the designation for this site as community commercial and bring the existing condition into conformance with the general plan.

C. Modified conditions warrant a revision to the County of Los Angeles General Plan because:

The site is located along the I-5 freeway on/off ramp; an appropriate location for a gas station. The general plan has designated this area as Medium Density Residential and to operate in conformance the site requires an amendment to the LAC General Plan.

D. Approval of the proposed General Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practices because:

The project will enhance the site and be an investment in the local vicinity. The property east of the site is also a gas station whose zoning was changed to C-1 in 2003 to bring it into compliance with zoning and general plan designation. This request is consistent with the intent for the local vicinity which has two commercial sites buffering residential lots from the I-5 freeway on/off ramp at Ditman Ave.



Los Angeles County
Department of Regional Planning
Planning for the Challenges Ahead



ZONE CHANGE APPLICATION BURDEN OF PROOF

In addition to the information required on the application by Chapter 22.16, Part 2, the applicant for a Zone Change Application shall substantiate to the satisfaction of the Commission the following facts:

(Do not provide one word or Yes/No responses. If necessary, attach additional pages.)

A. That modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and

The site currently houses a fueling station with lube bays that is operating on a site zoned for residential use. The present site is in non-conformance and a zone change as requested will bring the site into compliance

B. That a need for the proposed zone classification exists within such area or district; and

The location of the site at the North Bound I-5 on/off ramp is appropriate for a service station that can serve both the residential community and those traveling north on the I-5. The commercial zone at this location buffers the residential streets from I-5 traffic.

C. That the particular property under consideration is a proper location for said zone classification within such area or district; and

The site is located at the intersection of two local streets and the I-5 on/off ramp. It serves as a buffer between the I-5 on/off ramp traffic and the local residential lots along Dennison & Ditman.

D. That placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice.

The proposed zone change will bring the site into compliance and allow its operation in the appropriate zone. The property just east of this site is zoned C-1 and the requested zone change is consistent with this intent.



Los Angeles County
Department of Regional Planning
Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed project will enhance the appearance of the site with updated architecture and landscaping. The proposed site layout will benefit onsite traffic circulation and pedestrian access to the convenience store.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The site is adequate in size to accommodate the proposed convenience store and fueling canopies and will provide parking to meet the C-1 zone standard. The adjacent residential property will be buffered from the site by the existing 6'-0" masonry wall. The site also serves to buffer residential sites from the I-5 which is located directly south of the site

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

The site is served by two local, two way streets. There are four existing driveways; two on each street. The site is situated at an intersection of the I-5 on/off ramp at Ditman. Public and/or private utilities and service facilities are available and are currently serving the existing service station.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.195, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

There are multiple proprietary security & anti-alcohol measures taken by BP to ensure compliance with zero tolerance of litter, loitering and sales to minors including the immediate termination of employment if sales to minors policies are violated. The company works hard to maintain the highest standards & is one of the principals of the "MADD/ARCO Patnership Against Impaired Driving"

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

The adjacent residential properties are buffered by an existing 6'-0" masonry wall that will remain in place with the proposed project.

C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

The site is not located within 500' of another facility selling alcohol for off-premise consumption.

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

The proposed project represents an investment in the local vicinity by providing updated architecture & landscaping.

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

The proposed architecture will be consistent with the commercial site located to the east. The design intent will improve the appearance and improve values of the surrounding area.



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: March 19, 2009

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2008-02217

LOCATION: 3949 E. Dennison Avenue, Los Angeles

- ☐ The Fire Department Land Development Unit has no additional requirements for this permit.
- ☐ The required fire flow for this development is _____ gallons per minute for _____ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. _____ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- ☐ The required fire flow for private on-site hydrants is _____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing _____ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- ☐ Verify _____ 6" X 4" X 2 1/2" fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- ☒ **Comments:** THIS PROJECT IS CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.
- ☒ **Location:** The Fire Flow performed by California Water Service Company on 03-09-09 is adequate.
- ☒ **Access:** 1. Access is adequate per the Site Plan on file in our office dated 02-24-09.
2. Submit architectural plans to Fire Prevention Engineering for approval prior to issuance of building permit.
For additional information contact (323) 890-4125.
- ☐ **Special Requirements:** _____

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: **SCOTT JAEGGI** 

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

MAR 23 2010

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

March 17, 2010

Tyler Montgomery, Regional Planning Assistant II
Los Angeles County Dept of Regional Planning
Zoning Permits II Section
320 W Temple Street
Los Angeles, CA 90012

Dear Mr. Montgomery:

NEGATIVE DECLARATION, CASES: RPA 200800011; RZC 200800009; RENV 200900025, CUP R 2008-02217, 3949 E. DENNISON AVE, EAST LOS ANGELES (FFER #200900240)

The Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

LAND DEVELOPMENT UNIT:

1. We have no comments at this time.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLEN DORA
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRWINDALE
LA CANADA-FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWNDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

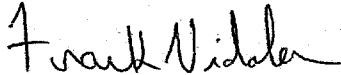
Tyler Montgomery, Regional Planning Assistant II
March 17, 2010
Page 2

HEALTH HAZARDOUS MATERIALS DIVISION:

1. Health Hazardous Materials Division has no objection to the proposed project. However, the soils at the auto service center area may be contaminated due to hazardous substances release. Therefore, it is recommended that prior to demolishing the auto service center, a statistically valid number of soil samples be obtained and analyzed for contaminants of concern. The result of the preliminary soil data should indicate if further assessment/mitigation is required or the auto service center area is ready for the proposed development.

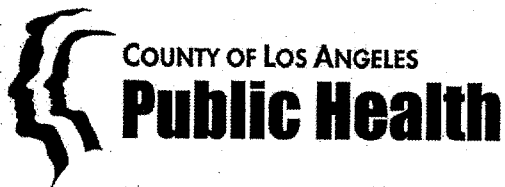
If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



for JOHN R. TODD, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JRT:lj



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

KEN HABARADAS, MS, REHS
Acting Environmental Health Staff Specialist
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5280 • FAX (626) 960-2740



BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

January 13, 2010

Tyler Montgomery
Regional Planning Assistant II
Zoning Permits Section
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

SUBJECT: PROJECT NO. R2008-02217-(1)
RCUP 200800181
LOCATION: 3949 DENNISON ST., EAST LOS ANGELES

Dear Mr. Montgomery:

This is in response to the Notice of Consultation for the above-referenced project that was forwarded to Environmental Health for review and comment. We have reviewed the documents provided and offer the following comments:

Food Facility Requirements

The project includes construction of a new 24-hour convenience store with the sale of beer and wine for off-premise consumption. The proposed facility shall be constructed to meet the requirements of the California Health and Safety Code and Title 11 of the Los Angeles County Code.

Noise

The project is located relatively close to a high noise source, the Santa Ana Freeway. Therefore, the impacts of operational noise to nearby residences are expected to be less significant with mitigation.

However, it has been determined that the proposed project may have potential adverse noise impacts on nearby residents during construction. To minimize potential noise impacts, we recommend the following mitigation measures:

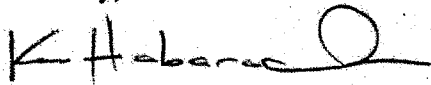
1. All construction mobile or stationary internal-combustion engine powered equipment or machinery shall be equipped with suitable exhaust and air-intake silencers/mufflers in proper working order.
2. Minimize construction equipment idling and maintain equipment in good working order. Noise generating equipment should be turned-off when not in use and should be placed as far as feasible away from residential units.
3. All construction activities, except for emergencies, shall be limited to the hours of 7 am to 7 pm, Monday through Saturday and prohibited on Sundays and legal holidays.
4. Noise from compressors or air-conditioning/refrigeration equipment (i.e. room mechanical units) shall not exceed 55 dBA along adjacent residential property line. In addition, air conditioning/refrigeration equipment should be shielded by an acoustical barrier or structure to cover the line of sight from adjacent residential units.

The project shall adhere to the requirements contained in the Title 12 of the Los Angeles County Noise Control Ordinance.

For questions regarding noise requirements, please contact Cole Landowski, Head of our Environmental Hygiene Program, at (626) 430-5440.

If you have any other questions or need additional information, please contact me at (626) 430-5262.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Habaradas', with a stylized flourish at the end.

Ken Habaradas, MS, REHS
Bureau of Environmental Protection



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>


ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

January 27, 2010

IN REPLY PLEASE
REFER TO FILE: **LD-1**

TO: Maria Masis
Zoning Permits II Section
Department of Regional Planning

Attention: ~~Tyler~~ Montgomery

FROM:  Steve Burger
Land Development Division
Department of Public Works

**NEGATIVE DECLARATION/INITIAL STUDY (ND/IS)
PROJECT NO. R2008-02217-(1)
PERMIT NOS. RCUP 200800181 AND RENV 20090025
3949 DENNISON STREET, EAST LOS ANGELES**

We reviewed the ND/IS for Project No. R2008-02217-(1). The project proposes to replace the existing 1,625-square-foot convenience store and auto service center with a new 2,120-square-foot AM/PM convenience store on the northwestern portion of the property. It also adds 365 square feet of landscaping for a total of 1,105 square feet and 10 on-site parking spaces would be provided.

The following comments are for your consideration and relate to the environmental document only:

Services-Utilities/Sewer

1. The proposed project may have potential affect on the capacity in the existing local sewer lines since the zoning will be changed from R-3 (Limited Multiple Residence) to C-1 (Restricted Business Zone). Therefore, the Negative Declaration should discuss the collection and disposal of wastewater that would be generated within the proposed project area for both peak-dry and wet weather flows pursuant with the Statewide General Waste Discharge Requirement Order No. 2006-003.

2. Public Works' Consolidated Sewer Maintenance District is responsible for the operation and maintenance of the local sewers within unincorporated County area. Any proposed sewer system within the project area will be required to comply with Public Works' Sewer Design and Construction Standards.

If you have any questions regarding comments 1 and 2, please contact May Hong at (626) 300-3388 or by e-mail at mahong@dpw.lacounty.gov.

Hazards-Flood/Water Quality

1. A National Pollutant Discharge Elimination System permit is required. Comply with all National Pollutant Discharge Elimination System permit requirements.
2. Per County Code Section 12.84.460, comply with Low-Impact Development requirements in accordance with the Low-Impact Development Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf.

If you have any questions regarding the flood water quality comments, please contact Christopher Sheppard at (626) 458-4921 or by e-mail at csheppard@dpw.lacounty.gov.

Other-Environmental Safety

1. Should any operation within the subject project include the construction, installation, modification, or removal of underground storage tanks; industrial waste treatment or disposal facilities, and/or storm water treatment facilities, Public Works' Environmental Programs Division must be contacted for required approvals and operating permits.
2. All development and redevelopment projects which fall into one of the Standard Urban Stormwater Mitigation Plan's project types, characteristics, or activities, must obtain Standard Urban Stormwater Mitigation Plan approval by the appropriate agency.
3. This project site has past cases of a leaking underground storage tank system. Some contamination was left in place because the extent was properly defined and it was determined that it did not pose a significant threat to health or the environment. Since the status of the site is about to change due to construction,

Maria Masis
January 27, 2010
Page 3

this may need attention. The builder should also refer to the Air Quality Management District for any applicable rules.

If you have any questions regarding comments 1 through 4, please contact Corey Mayne at (626) 458-4921 or by e-mail at cmayne@dpw.lacounty.gov.

If you have any questions or require additional information, please contact Toan Duong at (626) 458-4945 or by e-mail at tduong@dpw.lacounty.gov.

JY:ca

P:\dpub\CEQA\CDM\DRP- Project No. R2008-02217-(1), CUP 200800181_ 3949 Dennison Street _ND-IS.doc

PROJECT NUMBER: R2008-02217-(1)
CASES: RPA 200800011;
RZC 200800009;
RCUP 200800181;
RENV 200900025



***** INITIAL STUDY *****

**COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING**

GENERAL INFORMATION

I.A. Map Date: 05/28/2008 Staff Member: Tyler Montgomery, Zoning Permits II
Thomas Guide: 635; D-1 USGS Quad: Los Angeles
Location: 3949 Dennison Street, East Los Angeles

Description of Project:

The applicant, BP West Coast Products (ARCO), proposes to demolish an existing 1,625 square-foot convenience store and auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the property. The project would add 1,405 square feet of landscaping, for a total of 1,945 square feet, and nine (9) on-site parking spaces would be provided. The existing gas pump canopies and pole signs would remain. In order to allow for this expansion to a nonconforming use, the applicant is applying for a plan amendment to change the property's underlying land use category from MD (Medium Density Residential) to MC (Major Commercial), as well as a zone change from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Commercial, Development Program). The applicant is also applying for a conditional use permit in order to comply with the proposed new zone's development program requirement and for the sale of beer and wine for off-site consumption in association with the new convenience store.

Gross Acres: 19,410 square feet

Environmental Setting:

The subject 19,410 square-foot property contains an existing ARCO service station, including a 1,625 square-foot convenience store and auto service center, two (2) gas pump canopies of 650 square feet and 1,378 square feet, respectively, with a total of six (6) gas pumps. The property is level and paved, except for 740 square feet of landscaping. It is located at the northwest corner of Dennison Street and South Ditman Avenue in East Los Angeles, and an on/off ramp for the northbound Santa Ana Freeway (Interstate 5) connects to this intersection from the south. The property is located in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD) of Los Angeles County, which is urbanized. Properties to the north and west are developed with single-family and multi-family residences, while another service station is located to the east. The Santa Ana Freeway is located to the south, across Dennison Street.

Zoning: R-3 (Limited Multiple Residence)

General Plan: N/A

Community/Area wide Plan: MD (Medium Density Residential)—East Los Angeles Community Plan

Major projects in area:

<u>PROJECT NUMBER</u>	<u>DESCRIPTION & STATUS</u>
<u>01-072-(1)</u>	<u>Plan amendment (MD to MC), zone change (R-3 to C-1-DP), and CUP to allow reconstruction and expansion of service station at 1060 S. Ditman Ave, located across the street from current project site. Approved by BOS 3/25/03.</u>
<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- ☒ None
- ☐ Regional Water Quality Control Board
- ☐ Los Angeles Region
- ☐ Lahontan Region
- ☐ Coastal Commission
- ☐ Army Corps of Engineers
- ☐
- ☐
- ☐

Trustee Agencies

- ☐ None
- ☐ State Fish and Game
- ☐ State Parks
- ☐
- ☐
- ☐
- ☐

Special Reviewing Agencies

- ☒ None
- ☐ Santa Monica Mountains Conservancy
- ☐ National Parks
- ☐ National Forest
- ☐ Edwards Air Force Base
- ☐ Resource Conservation District of Santa Monica Mtns. Area
- ☐
- ☐
- ☐
- ☐
- ☐
- ☐

Regional Significance

- ☒ None
- ☐ SCAG Criteria
- ☐ Air Quality
- ☐ Water Resources
- ☐ Santa Monica Mtns. Area
- ☐
- ☐
- ☐

County Reviewing Agencies

- ☐ Subdivision Committee
- ☒ DPW
- ☒ Fire Department
- ☒ Environmental Health
- ☐
- ☐
- ☐

IMPACT ANALYSIS MATRIX		ANALYSIS SUMMARY (See individual pages for details)			
			Less than Significant Impact/No Impact		
			Less than Significant Impact with Project Mitigation		
				Potentially Significant Impact	
CATEGORY	FACTOR	Pg			Potential Concern
HAZARDS	1. Geotechnical	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Flood	6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Fire	7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Fire flow and access</i>
	4. Noise	8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RESOURCES	1. Water Quality	9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>NPDES permit, petroleum runoff</i>
	2. Air Quality	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Fugitive dust during construction</i>
	3. Biota	11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Cultural Resources	12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5. Mineral Resources	13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	6. Agriculture Resources	14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	7. Visual Qualities	15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SERVICES	1. Traffic/Access	16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Traffic hazards, emergency access</i>
	2. Sewage Disposal	17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>L.A. County Sewer</i>
	3. Education	18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Fire/Sheriff	19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5. Utilities	20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Public water supply, fire flow</i>
OTHER	1. General	21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Environmental Safety	22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Gasoline storage, soil toxicity</i>
	3. Land Use	23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Pop/Hous./Emp./Rec.	24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5. Mandatory Findings	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Fire, Water Quality, Air Quality, Traffic/Access, Sewage Disposal, Utilities, Environmental Safety</i>

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

- ☒ NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

- ☐ MITIGATED NEGATIVE DECLARATION, in as much as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

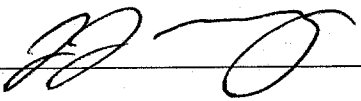
An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

- ☐ ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant".

- ☐ At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The EIR is required to analyze only the factors not previously addressed.

- ☐ This proposed project is exempt from Fish and Game CEQA filing fees. There is no substantial evidence that the proposed project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

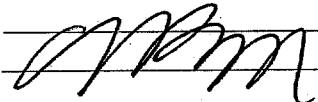
Reviewed by:



Date:

4-22-10

Approved by:



Date:

4-22-10

- ☐ Determination appealed – see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone? <i>The project is not located in a Seismic Hazards Zone or Alquist-Priolo Earthquake Fault Zone (Source: California Geological Survey)</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area containing a major landslide(s)? <i>The project is not located in a designated landslide area (Source: California Geological Survey)</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having high slope instability? <i>The project site is not located in an area with designated slope instability (Source: California Geological Survey)</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction? <i>The project site not located in an area subject to liquefaction or with a high groundwater level (Source: California Geological Survey)</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard? <i>The proposed project is not a sensitive use.</i>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project entail substantial grading and/or alteration of topography including slopes of over 25%? <i>The project site is level and will involve minimal grading.</i>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code (1994), creating substantial risks to life or property?
h.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

☒ Building Ordinance No. 2225 – Sections 308B, 309, 310, and 311 and Chapters 29 and 70

☐ MITIGATION MEASURES

☒ OTHER CONSIDERATIONS

☐ Lot Size

☒ Project Design

☐ Approval of Geotechnical Report by DPW

The project must comply with all requirements of the Department of Public Works—Building & Safety Division and the Los Angeles County Department of Public Health—Environmental Safety Division.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

☐ Potentially significant

☐ Less than significant with project mitigation

☒ Less than significant/No Impact

HAZARDS - 2. Flood

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site? <i>There are no major drainage courses located on the project site (source: USGS Topographic Map, Los Angeles, California Quadrangle Sheet).</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone? <i>The project is not located within any designated flood hazard zone (source: FEMA).</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in or subject to high mudflow conditions?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project contribute or be subject to high erosion and debris deposition from run-off?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project substantially alter the existing drainage pattern of the site or area?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., dam failure)?

STANDARD CODE REQUIREMENTS

☐ Building Ordinance No. 2225 – Section 308A ☐ Ordinance No. 12,114 (Floodways)

☐ Approval of Drainage Concept by DPW

☐ MITIGATION MEASURES

☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

HAZARDS - 3. Fire

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)? <i>Source: Wildland and Urban Fire Hazards Map of the Los Angeles County Safety Element</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in a high fire hazard area and served by inadequate access due to lengths, width, surface materials, turnarounds or grade? <i>The project is not located in a high fire hazard area.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site have more than 75 dwelling units on a single access in a high fire hazard area? <i>The project does not propose any dwelling units.</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having inadequate water and pressure to meet fire flow standards? <i>County Fire has reviewed the fire flow pressure of nearby hydrants and cleared the project for public hearing.</i>
e.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the project located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)? <i>The proposed project is a gas station and will store and dispense petroleum products.</i>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the proposed use constitute a potentially dangerous fire hazard? <i>The proposed use has been reviewed and cleared for public hearing by County Fire.</i>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

☒ Water Ordinance No. 7834 ☒ Fire Ordinance No. 2947 ☒ Fire Regulation No. 8

☐ Fuel Modification/Landscape Plan

☐ MITIGATION MEASURES

☒ OTHER CONSIDERATIONS

☒ Project Design ☐ Compatible Use

The project must conform to all fire flow and access requirements of the Los Angeles County Fire Department.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

☒ Potentially significant

☐ Less than significant with project mitigation

☒ Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the project site located near a high noise source (airports, railroads, freeways, industry)? <i>The project site is adjacent to the Santa Ana Freeway (Interstate 5).</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity? <i>The proposed use is not considered sensitive, and there are no sensitive uses in close proximity to the site.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project? <i>The project is not likely to substantially increase ambient noise levels in the area.</i>
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? <i>Any temporary increase in ambient noise levels in the project vicinity would be due to construction activity.</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <hr/> <hr/>

STANDARD CODE REQUIREMENTS

☒ Noise Ordinance No. 11,778 ☐ Building Ordinance No. 2225--Chapter 35

☐ MITIGATION MEASURES

☒ OTHER CONSIDERATIONS

☐ Lot Size ☒ Project Design ☐ Compatible Use

All construction machinery shall be with suitable exhaust and air-intake silencers/mufflers, idling shall be minimized, and machinery shall be turned off when not in use and placed as far as possible from nearby residences. Construction activity shall be prohibited between 7 p.m. and 7 a.m., and all day on Sundays and legal holidays. Noise from compressors, air conditioners, and/or refrigeration units shall be limited to 55 dBA at the adjacent residential property lines. Such equipment shall also be shielded by an acoustical barrier or structure to cover the line of sight from adjacent residential units.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by noise?

☒ Potentially Significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having known water quality problems and proposing the use of individual water wells? <i>The proposed project would utilize a public water supply (L.A. County Waterworks).</i>
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the proposed project require the use of a private sewage disposal system? <i>The project proposes to connect to a public sewer (L.A. County Sewer).</i>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations or is the project proposing on-site systems located in close proximity to a drainage course? <i>See above</i>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies? <i>Construction and excavation is unlikely to significantly impact the quality of groundwater or storm water runoff. Before a building or grading permit is issued, the project will require an approved NPDES permit.</i>
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies? <i>Post-development activities include the dispensing of petroleum products. Before a building or grading permit is issued, the project will require an approved NPDES permit.</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

- | | |
|---|--|
| <input type="checkbox"/> Industrial Waste Permit | <input checked="" type="checkbox"/> Health Code – Ordinance No.7583, Chapter 5 |
| <input checked="" type="checkbox"/> Plumbing Code – Ordinance No.2269 | <input checked="" type="checkbox"/> NPDES Permit CAS614001 Compliance (DPW) |

☐ MITIGATION MEASURES

- ☐ Lot Size ☒ Project Design ☐ Compatible Use

☒ OTHER CONSIDERATIONS

Before a building or grading permit is issued, the project will be required to obtain an approved NPDES permit from the Los Angeles County Department of Public Works. All development and redevelopment projects which fall into one of the Standard Urban Stormwater Mitigation Plan (SUSMP) project types must obtain SUSMP approval by the appropriate agency.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **water quality** problems?

☒ Potentially significant

☐

Less than significant with project mitigation

☒

Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential users or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for non-residential uses)?</p> <p><i>The project will not create any dwelling units, and will not meet a level of significance for non-residential uses.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?</p> <p><i>The project is not considered a sensitive use.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook?</p> <p><i>The project is not likely to increase local traffic congestion, as it is located on an existing thoroughfare and will incorporate all road improvements required by the Department of Public Works.</i></p>
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Will the project generate or is the site in close proximity to sources that create obnoxious odors, dust, and/or hazardous emissions?</p> <p><i>Dust may be generated during grading and/or construction activities. This must be wetted and contained in the manner required by SCAQMD Rule 403—Fugitive Dust.</i></p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the project conflict with or obstruct implementation of the applicable air quality plan?</p> <p><i>The project is not likely to conflict with the applicable air quality plan.</i></p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p> <p><i>The project will not create any additional dwelling units or generate substantial additional vehicle trips.</i></p>
h.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p>

STANDARD CODE REQUIREMENTS

☒ Health and Safety Code – Section 40506

☐ MITIGATION MEASURES

☒ Project Design ☐ Air Quality Report

The project will comply with SCQAMD Rule 403—Fugitive Dust control measures. The project will incorporate all right-of-way improvements required by the Department of Public Works. The project shall comply with all EVR Phase II vapor recovery standards.

☒ OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **air quality**?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located within Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural? <i>The site is not located in an SEA or ESHA, and it is currently developed with a service station.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas? <i>The site is currently developed as a service station.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is a major drainage course, as identified on USGS quad sheets by a blue dashed line, located on the project site? <i>No major drainage courses are located on the project site (Source: source: USGS Topographic Map, Los Angeles, California Quadrangle Sheet).</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain a major riparian or other sensitive habitat (e.g. coastal sage scrub, oak woodland, sycamore riparian, woodland, wetland, etc.)? <i>The project site is not located within any designated sensitive habitat area.</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain oak or other unique native trees (specify kinds of trees)? <i>The project site does not contain oak or other unique native trees.</i>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)? <i>The project site is not a habitat for any known sensitive species (Source: California Natural Diversity Database).</i>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., wildlife corridor, adjacent open space linkage)?

☐ MITIGATION MEASURES

☐ Lot Size ☐ Project Design

☐ OTHER CONSIDERATIONS

☐ ERB/SEATAC Review ☐ Oak Tree Permit

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on biotic resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 4. Archaeological/Historical/Paleontological

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) that indicate potential archaeological sensitivity?
				<i>No known archaeological resources or sensitive features are located on the site.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain rock formations indicating potential paleontological resources?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain known historic structures or sites?
				<i>No known historic structures or sites or contained on the project site.</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
				<i>No known paleontological resources are contained on the project site.</i>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ **MITIGATION MEASURES**

☒ **OTHER CONSIDERATIONS**

☐ Lot Size

☒ Project Design

☐ Phase 1 Archaeology Report

The applicant shall agree to suspend construction in the vicinity of a cultural or paleontological resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist or paleontologist can examine them and determine appropriate mitigation measures.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **archaeological, historical, or paleontological** resources?

☐ Potentially Significant

☐ Less than significant with project mitigation

☒ Less than significant/No impact

RESOURCES - 5.Mineral Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? <i>No known mineral resources are on the project site (Source: Los Angeles County General Plan).</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <hr/> <hr/> <hr/>

☐ **MITIGATION MEASURES**

☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<div style="border-bottom: 1px solid black; padding-bottom: 2px;"> <i>The proposed project would not convert farmland to non-agricultural use.</i> </div> Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project involve other changes in the existing environment that due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES

☐ Lot Size ☐ Project Design

☐ OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **agriculture** resources?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed? <i>The project site is not located near a scenic highway or scenic corridor, and it will not adversely impact the local viewshed.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail? <i>There are no regional riding or hiking trails in the immediate vicinity.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an undeveloped or undisturbed area that contains unique aesthetic features? <i>The project site is located in an area developed with numerous commercial buildings and single-family residences.</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features? <i>The maximum height of 20 feet above grade is consistent with uses in the vicinity.</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project likely to create substantial sun shadow, light or glare problems?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., grading or landform alteration)?

☐ MITIGATION MEASURES

☐ OTHER CONSIDERATIONS

☐ Lot Size

☐ Project Design

☐ Visual Report

☐ Compatible Use

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on scenic qualities?

☒ Potentially significant

☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (mid-block or intersections)? <i>The project will not result in any additional dwelling units.</i>
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will the project result in any hazardous traffic conditions? <i>The project currently lacks ADA compliant pedestrian paths along its frontage.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in parking problems with a subsequent impact on traffic conditions? <i>The project would exceed the County's on-site parking requirements with 10 spaces (nine [9] required).</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area? <i>The project has been deemed to have adequate emergency access by the Los Angeles County Fire Department.</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded? <i>The project has undergone review by the Department of Public Works and has been cleared for public hearing without a traffic study.</i>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus, turnouts, bicycle racks)?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES

☒ OTHER CONSIDERATIONS

☒ Project Design ☐ Traffic Report

☒ Consultation with Traffic & Lighting Division

Before the issuance of building permits, the project will be required to obtain approval from the Department of Public Works regarding right-of-way improvements. As a condition of approval, existing driveway aprons and curb ramps along the project site frontage shall be reconstructed to ADA standards.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **traffic/access** factors?

☒ Potentially significant

☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If served by a community sewage system, could the project create capacity problems at the treatment plant? <i>The project has been reviewed by the Department of Public Works, which operates the local sewage system.</i>
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Could the project create capacity problems in the sewer lines serving the project site? <i>The project will require an approved NPDES permit in before issuance of building or grading permits.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <hr/> <hr/>

STANDARD CODE REQUIREMENTS

- ☒ Sanitary Sewers and Industrial Waste – Ordinance No. 6130
- ☒ Plumbing Code – Ordinance No. 2269

☐ MITIGATION MEASURES

☒ OTHER CONSIDERATIONS

Before issuance of building permits, the project must obtain approval of sewer connection from the Department of Public Works Sewer Maintenance District. All sewer facilities shall conform to DPW's Sewer Design and Construction Standards. An approved NPDES permit shall be obtained for the project prior to issuance of building or grading permits.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

☒ Potentially significant

☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 3. Education

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at the district level? <i>The proposed project would not create any additional dwelling units. The project site is served by the Los Angeles Unified School District.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at individual schools that will serve the project site? <i>The proposed project would not create any additional dwelling units.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create student transportation problems?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create substantial library impacts due to increased population and demand?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <hr/> <hr/>

☐ **MITIGATION MEASURES**

☐ **OTHER CONSIDERATIONS**

☐ Site Dedication
 ☐ Government Code Section 65995
 ☐ Library Facilities Mitigation Fee

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site?</p> <p><i>The nearest county fire station is approximately 1.1 miles to the northeast of the subject property. The nearest sheriff's substation is approximately 2 miles to the northeast of the subject property.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Are there any special fire or law enforcement problems associated with the project or the general area?</p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <hr/> <hr/> <hr/> <hr/>

☐ MITIGATION MEASURES

☐ OTHER CONSIDERATIONS

☐ Fire Mitigation Fee

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells?</p> <p><i>The local L.A. County Waterworks district has evaluated the project for adequacy of public water supply. The service station is currently supplied with public water.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs?</p> <p><i>County Fire has reviewed the project and cleared it for public hearing.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the project create problems with providing utility services, such as electricity, gas, or propane?</p> <p><i>The project site is already served by utilities.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Are there any other known service problem areas (e.g., solid waste)?</p>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)?</p>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p>

STANDARD CODE REQUIREMENTS

☐ Plumbing Code – Ordinance No. 2269

☐ Water Code – Ordinance No. 7834

☐ MITIGATION MEASURES

☒ OTHER CONSIDERATIONS

☐ Lot Size ☒ Project Design

Before issuance of building permits, the applicant must obtain approval of water service from the Los Angeles County Waterworks district.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities** services?

☒ Potentially significant

☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in an inefficient use of energy resources? <u>Energy resources will not be used inefficiently for the proposed project.</u>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a major change in the patterns, scale, or character of the general area or community? <u>The project will not significantly change the patterns, scale, or character of the area.</u>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a significant reduction in the amount of agricultural land? <u>The project would not convert farmland to a non-agricultural use.</u>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? _____ _____

STANDARD CODE REQUIREMENTS

☐ State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

☐ MITIGATION MEASURES

☐ OTHER CONSIDERATIONS

☐ Lot Size

☐ Project Design

☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

☒ Potentially significant

☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are any hazardous materials used, transported, produced, handled, or stored on-site? <i>Gasoline will be stored and dispensed in significant quantities at the site.</i>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are any pressurized tanks to be used or any hazardous wastes stored on-site? <i>Used car batteries, motor oil, and other materials may be stored on-site for short periods of time.</i>
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected? <i>Numerous single-family and multi-family residences are located within 500 feet of the project site. However, the proposed project will not expand the usage or storage of hazardous materials on the project site beyond its current scope.</i>
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Have there been previous uses that indicate residual soil toxicity of the site? <i>The site has had past cases of a leaking underground storage tank system. Public Works has indicated that some residual soil contamination was left in place following the site's most recent excavation.</i>
e.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment? <i>The project will not expand the usage or storage of hazardous materials on the project site beyond its current scope.</i>
f.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? <i>The project site is not within one-quarter mile of an existing or proposed school.</i>
g.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment? <i>The project site is not a designated hazardous materials site.</i>
h.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip? <i>The project site is not located within an airport land use plan or its vicinity.</i>
i.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <i>The project would not affect any adopted emergency plan.</i>
j.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ MITIGATION MEASURES

☒ OTHER CONSIDERATIONS

The project proposes to expand the existing convenience store and would not expand the site's usage or storage of hazardous materials and wastes beyond its current scope as a gas station with underground storage tanks. The existing underground storage tanks are not proposed for replacement, and no excavation will occur near the existing tanks. Should any future operation within the project site include the construction, modification, removal, or excavation of underground storage tanks, industrial waste treatment or disposal facilities, and/or stormwater treatment facilities, Public Works' Environmental Programs Division shall be contacted for required approvals and operating permits.

CONCLUSION

Considering the above information, could the project have a significant impact relative to **public safety**?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Can the project be found to be inconsistent with the plan designation(s) of the subject property? <i>The proposed "CC" (Major commercial) Land Use designation is consistent with a gas station and convenience store of this scale.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Can the project be found to be inconsistent with the zoning designation of the subject property? <i>The proposed C-1-DP (Restricted Commercial, Development Program) zone is consistent with a gas station and convenience store of this scale.</i>
c.				Can the project be found to be inconsistent with the following applicable land use criteria:
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hillside Management Criteria?
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEA Conformance Criteria?
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project physically divide an established community?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

☐ **MITIGATION MEASURES**

☒ **OTHER CONSIDERATIONS**

In order for these determinations to remain accurate, both the plan amendment and zone change must be approved concurrently with the CEQA document.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

☒ Potentially significant

☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project cumulatively exceed official regional or local population projections? <i>The project would not create any additional dwelling units.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)? <i>The project site is not in an undeveloped area and would not extend major infrastructure.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project displace existing housing, especially affordable housing? <i>The project would not eliminate any housing units.</i>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)? <i>The project would not create any additional dwelling units and is in close proximity to a large number of single-family and multi-family residences.</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project require new or expanded recreational facilities for future residents? <i>The project would not create any additional dwelling units.</i>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>The project would not eliminate any housing units.</i>
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? _____ _____

☐ MITIGATION MEASURES

☐ OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment, or recreational** factors?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?</p> <p><i>Due to the design of the project proposal and the discretionary review process, any potential impacts regarding fire hazard, noise, water quality, air quality, traffic/access, sewage disposal, utilities, and environmental safety would be less than significant.</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the project have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.</p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly?</p>

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact



Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT NO. R2008-02217-(1)
LOCAL PLAN AMENDMENT NO. 200800011
ZONE CHANGE NO. 200800009
CONDITIONAL USE PERMIT NO. 200800181

RPC MEETING DATE May 5, 2010	CONTINUED TO June 16, 2010
AGENDA ITEM	
PUBLIC HEARING DATES May 5, 2010 and June 16, 2010	

APPLICANT BP West Coast Products	OWNER BP West Coast Products	REPRESENTATIVE Erika Skeie
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REQUEST

Local Plan Amendment: To change the existing land use classification from Medium Density Residential to Community Commercial.

Zone Change: To change the zoning of a property from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business, Development Program).

Conditional Use Permit: To construct and operate a 24-hour convenience store with sales of beer and wine for off-site consumption within the Development Program overlay and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD).

LOCATION/ADDRESS

3949 Dennison Street, within the East Los Angeles Community Standards District (CSD)

ACCESS

From the south via Dennison Street and from the east via South Ditman Avenue

ZONED DISTRICT

Eastside Unit No. 1

COMMUNITY

East Los Angeles

EXISTING ZONING

R-3 (Limited Multiple Residence)

SIZE

19,430 square feet

EXISTING LAND USE

Service station

SHAPE

Rectangular

TOPOGRAPHY

Flat

SURROUNDING LAND USES & ZONING

North: Single-family and multiple-family residences—R-3 (Limited Multiple Residence)

South: Santa Ana (5) Freeway

East: Gas station and convenience store—C-1-DP (Restricted Business, Development Program)

West: Single-family and multiple-family residences—R-3 (Limited Multiple Residence)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
East Los Angeles Community Plan	MD (Medium Density Residential)	30 dwelling units/acre	See Staff Analysis

ENVIRONMENTAL STATUS

CEQA Negative Declaration

DESCRIPTION OF SITE PLAN

The applicant, BP West Coast Products (ARCO), proposes to demolish an existing 1,625 square-foot convenience store and auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the half-acre property. The new building would have a maximum height of 20 feet. The project would add 1,569 square feet of landscaping, for a total of 2,109 square feet, and nine (9) on-site parking spaces would be provided, one of which would be reserved for the handicapped. Two (2) gas pump canopies would remain, although they would be refurbished. The property is level and paved, with two driveways accessing Dennison Street to the south and two driveways accessing Ditman Avenue to the east. A new 25-foot-high monument sign is proposed for the southeastern corner of the property, and an existing 55-foot-high pole sign is proposed to remain. A trash enclosure would be located on the southwestern portion of the property.

KEY ISSUES

- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code: Conditional Use Permit Burden of Proof requirements. Satisfaction of Section 22.16.110 of the Los Angeles County Code: Zone Change Burden of Proof requirements. Satisfaction of Section 22.16.170 of the County Code: Plan Amendment Burden of Proof requirements.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON Tyler Montgomery, Zoning Permits II		
RPC HEARING DATE(S) 05/05/2010; 06/16/2010	RPC ACTION DATE 06/16/2010	RPC RECOMMENDATION Approval with conditions
MEMBERS VOTING AYE Rew, Valadez, Bellamy, Helsley	MEMBERS VOTING NO None	MEMBERS ABSTAINING None
STAFF RECOMMENDATION (PRIOR TO HEARING) Approval with conditions		
SPEAKERS* (O) 0 (F) 2	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

*(O) = Opponents (F) = In Favor